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NO CIVIL WAR.

TO

MR. JOHN TREDWELL,

OF

North Hampstead, in Long-Island.

London, 24 April, 1820.

MY DEAR SIR,

When, in the summer of 1817, I used to tire you with statements and predictions as to what had taken place, and what would take place in England, you could hardly believe the thing possible. Your news-papers, imperfect as their accounts must be, must now convince you, that all my statements and forebodings were but too correct. And, it is now, if we believe our opponents, a question to be decided at no distant day, whether this country, so long the seat of internal peace, is, or is not, to experience the horrors of *Civil War*. I am convinced, that, had it not been for the measures, which drove me to America in 1817, this terrible danger would not now have existed; I am convinced, that the scourge may, even yet, be easily turned aside. On the means of doing this, I here intend to offer my opinion; and, I address myself to you, upon this occasion, as a mark of my friendship and respect.

I beg you, my dear Sir, to efface from your mind all the impressions made on it by the masters (so famed for humanity)

nick-names and abuse bestowed on the Reformers, circulated through America by persons who ape the corrupt press of England. If you pay attention to what is published by those persons you must be in a state of continual *wonder* at seeing effects so terrible without any visible cause. The nick-name of *Radical* has been given with a view of shifting the ground and disguising a possible defeat. We are the *same men*, we maintain the *same principles*, and we ask for the *same thing*. And yet a *new name* has been given to us by our adversaries and persecutors. This has an ugly look in them and their cause. And, indeed, this nick-name has arisen out of *their fears*, and nothing else.

The tone of our adversaries and of their adherents, the editors of the American *Mercantile* press, must naturally lead you to suppose, that the Radicals are merely *a few men*, and these the refuse of society. People without character, without talent, and wholly destitute of means. In short, a set of beggars and paupers, and *foolish* beggars and paupers too. When you lay down the *New York Evening Post*, or the *Mercantile Advertiser*, after having read one of their essays on us, poor, beggarly foolish Radicals, you must be filled (kind as your nature is) with *pity* for us, and must regret and wonder too, that our

do not put us into Lunatic-Asylums and provide us with keepers, straw, and straight-waistcoats. Upon reflection, how astonished you must be, that so many laws are passed to prevent the world from hearing our voices and from reading what we write! What harm to any good government; what harm can be done to "ancient and venerable establishments;" what harm can be done to a "beloved sovereign," and to a "constitution which is the envy of surrounding nations and the admiration of the world;" what harm can be done to "our holy religion;" what harm can be done these, or any of these, by a few poor, beggarly silly fellows, who are "universally hated and despised?" This is a question, which will press forward to your lips, in spite of all the nick-names and all the abuse that the news-papers can possibly convey to you.

In short, it requires only a moment's thought in any man of common sense to convince him, that these despised Radicals are not only not what they are described to be; but that they are precisely the contrary. If we had the same liberty to repel attacks as our enemies have to make them; if we dared to speak truth respecting them with as much freedom as they speak, without any danger, falsehoods respecting us; nay, if we only dared truly to describe our own treatment, what a picture we could draw! As things now are, England presents to foreigners, who know nothing of her state, except through the

press, the strangest figure that ever was seen, or heard of. There is a "constitution, the envy of surrounding nations" and the admiration of the "world," which, in order to preserve it against some of those, who have the supreme happiness to live under it, and those only a *very few*, and these very few poor, beggarly and silly and despised men; in order to preserve it against these silly and despised beggars, stands in need of an almost infinite number of new regulations and new laws, the like of which was never dreamt of in former times.

The number of these regulations and laws is too great to admit of even an enumeration in the space of a small volume. A few of them will suffice. First, then, as to the *press*. No man can now have a press or printing types in his possession, without making a record of the fact with the Clerk of the Peace, who is to send a transcript of the record to the *Secretary of State*. Thus the government keeps a roll of all the presses and their possessors. Justices of the Peace may, upon suspicion, enter any man's house to look for printing materials, and, if they be possessed and unrecorded, seize them, and the possessor is to pay a heavy penalty. Makers of presses and types are compelled to keep a written roll of all the persons that they sell to; and to produce that roll to persons in authority, when called upon so to do. So that no man can have a press or types in his possession without the government being informed of

it. Next, the printer, under a heavy penalty, must print his name on the first and on the last, of every thing that he prints. Next, he must *keep constantly by him* one copy of all that he prints, *with his name written on it in his own hand*, and must produce it, whenever called upon. In the case of a news-paper, there is, to begin with, a heavy stamp on the paper itself, and then a heavy duty on each advertisement besides. Then, before any such paper can be begun, the Printer, the Publisher, and the Proprietor must all go and *swear* that they are such, and that they live at such and such places; and two bondsmen, or bail, must come and give security for the due payment of the advertisement duty. Then, in order that *no proof* may be wanting, in case of libel in such paper, one of every number of the paper is to be lodged, as soon as it is out, in the hands of the government, written on with the Publisher's name; so that, when a trial comes, it is only necessary for the prosecutor to produce this paper.

Now, would you not suppose, that this was *high enough*? This was what Pitt invented after the year 1793, when he began the "*successful and glorious war in defence of Social Order*." But, this was far short of what has now been done. For now, in addition to these regulations, provisions, and precautions, every Proprietor of such paper must, before he begins to print, enter into a *bond*, with *two sureties*, to the

amount of some hundreds of pounds to pay *any fine that may*, for any libel that he *may publish*, be imposed upon him! So that *now*, no man can put any such paper to press, until he can find two sufficient sureties to be answerable for the payment of any fines that may be imposed upon him!

Next as to publications, un-stamped, they are not to be *sold under* the price of *sixpence*! That is to say, if they relate to any thing at all *connected with politics*, or to *matters of Church or State*. Publications of *any other* description may be as we please; but if they touch on politics, they must not be *sold for less than sixpence*! We are obliged, therefore, to administer our matter in large doses, or *not at all*. And, this, you will observe, has been made law just at the close of ten years of unremitting exertions to teach the people to *read*, on the maxim, that it was the want of education which was the great cause of the increase of crimes!

That the *punishment* for libel might not remain stationary, while such immense improvements were taking place in the means of detecting the guilt, this punishment, which was formerly fine, imprisonment and pillory, may now be *banishment for life*! And, that the punishment may speedily follow the crime, the culprit is not now suffered to *traverse*, or *put off*, the trial for a while, as formerly.

And what is the crime to be? A seditious libel. But, what is that? Why, amongst other

tings, any thing that has a TENDENCY to bring either House of Parliament into *contempt!* For a first offence of this sort a man may be *fined* and *imprisoned*; and, for a second, he may be *banished for life!*

Now, I have no doubt, that the Mercantile news-papers of America will say, that these laws are *necessary*; but then they must tell you *why* they are necessary. That they will do in a moment. They are *necessary*, absolutely necessary, to prevent the Radical writers from *destroying* the Constitution. But, then, they must allow, I am afraid, that these Radicals are not the *despicable* and *despised* crew that they have so many thousand times swore that they were. How are the Radicals to destroy the constitution by means of the press? By putting into print weak, foolish, false words? How can these destroy a constitution; and especially "a constitution which "is the *envy* of surrounding nations and the *admiration of the world?*" How are they to destroy a thing like this by empty words, impudence, and lies? Therefore your *Federal* writers, who would perhaps, have little objection to be court-parasites, had not American good-sense deprived them of all chance of filling that honourable employment, must change their tone in one way or the other: they must cease to consider the Radicals as *contemptible* either in numbers or in talents; or, they must allow the above described new regulations and

acts to be measures of *unnecessary severity*. Either admission will answer our purpose; and one of the two they must make.

But, these are but a small part of the precautionary measures taken against us. Englishmen's houses used to be called their *castles*; but, in a great part of the kingdom, and in the whole of it when the King and Council please, any magistrate may, upon grounds that appear to *him* sufficient, cause any man's "*castle*" to be forcibly entered by day or by night, to search for, and take away arms of all sorts! This may be done by *soldiers* as well as peace officers. And the lord of the "*castle*" himself may, by similar authority, be stopped on the highway, searched, and have arms taken from him! How completely a law like this would protect the wood-cocks in Long-Island.

Arms without legs are of little use, however; and, therefore, we have a *law* now to prevent the people from meeting to learn to *march, wheel, and move in rank and file*, either with arms or without arms! A few years ago all was *volunteering*. The school-boys used to parade about with sticks on their shoulders, and the *little misses* used to present them with flags, and read speeches to them against the French Atheists, written by the misses' stupid papas. But this is now laid aside; and we are told, that it is a most horrid thing for the Radicals to imitate it! Nay, the Radicals are to be severely

punished, if detected in any such tricks.

Lastly there are to be no more large *meetings of the people*, to discuss politics, or to *petition, remonstrate*, or any thing else. There are to be no meetings, except of *parishes*; even there a Justice is to have *notice*, and he may *put off the meeting for some days or change the place at his pleasure*. He may put an end to it, if he sees cause; and, according to the degree of the offence, persons disobeying him may be *fined, imprisoned, transported, or hanged!* Thus is Radical speech-making out-of-doors completely put an end to. And, lest we should go into *houses to talk*, the law inflicts a heavy penalty on *taking money for admission* into any room, where *politics are discussed*. And this, as you may easily see, puts an end to all talk within doors to any considerable number of persons.

Now, if we are the contemptible rabble rout that our adversaries would make the world believe we are, why are all these precautions? Why not let us gabble our fill? The people, the loyal people, living under a "constitution that is the envy of surrounding nations and the admiration of the world," would laugh at, and despise our ignorance, impudence and falsehoods. If our number be so paltry, why not let us keep our arms and go stalking about in line and column? But, above all things why not let us stutter and stammer out our nonsense? Fools as we are, we should grow weary of being

laughed at. Fools are generally vain; but he must be an unfeeling fool indeed, who would need to be driven away from a place where he was a laughing stock.

This one clause of this one act decides the question between us and our adversaries. They said, at Public Meetings out of doors the poor are *deluded* by speeches. The poor things are also deluded by *cheap publications*. But, the poor could not go to give five shillings for admission to a room: and yet the law now forbids the taking of money for such admission! The publications are clogged with *heavy expence*; but, the rooms, if entered at all, must be free of all expence. If we have the reading, we must pay dearly for it: if we have the hearing we must have it for nothing! After this, he who affects to doubt as to the animating spirit, as to the real motive must be a shocking hypocrite. It is as clear as daylight, and it is seen through by every man in the kingdom.

I would, had I nothing more, rest our cause upon this single point. Away goes, at once, all the clamour about DELUSION; that cookoo clamour, which has disgusted ninety-nine hundredths of the nation, and every candid man on earth, who has heard of our disputes. At public meetings in the open air, it was possible that much enthusiasm and little deliberation would prevail, and that the opponent of the popular speaker would hardly obtain a hearing. But, in a room, and especially in a

room for admission to which men had *to pay*, and, of course, where all would have *a right* to be heard; in a *room*, where men liable to be easily deluded could not easily obtain admission; in a *room*, where order would necessarily be kept, and where every man would be personally responsible for misconduct; in a *room*, where both sides must have had a fair hearing, and where the persons best able to pay would necessarily be the most frequent attendants; in a *room* to be afraid of the speeches of the Radicals, and, therefore, to pass a law to silence them there also, this settles the question in a way to leave no doubt in the mind of any man living, and the firm conviction in the minds of this whole nation, persons interested in abuses excepted, is, that we are in the right and our adversaries in the wrong.

Now, I have not troubled you with all this merely in defence of our cause, and to shew the fallacy of the notion that we are a despicable part of the nation, but, in order to give you, at the same time, grounds for judging correctly of the causes of the present, and, as I think, approaching danger. What is *your* feeling upon reading the above account of the things which have been done against us, not forgetting what was done in 1817, when so many men were imprisoned at the pleasure of the Secretaries of State, without ever being brought to trial? What is *your* feeling upon thus reading and remembering?—What is *your* feeling? Put your-

self in the place of one of us; suppose yourself dealt with in like manner. What, then, is *your* feeling? I will engage that, though at such a distance, and so completely disconnected with us, you feel indignant that the countrymen of your forefathers should have been thus treated. What, then, must *our* feelings have been, and what must they now be! We have the effect of those feelings before our eyes at this moment.

The stifling of men's voices has never yet tended to peace. The people know well what it is that is contended for; they understand the subject perfectly well. They believe, they are convinced, that they have a right to a reform, and also that a reform would render the country once more a happy country. How foolish, then, must those men be, who imagine, that preventing us from reading and writing, and speaking, will tend to efface these opinions from our minds! Men resent restraints of this kind with more bitterness and with much more perseverance than they do any other species of force. The chopping down and killing and wounding of hundreds of innocent men, women and children, is a thing to excite horror and hatred; but, let people *freely complain* of it; let them characterize in their own words the actors and abettors; let them exhaust their just anger in this way, and there is *an end* of the matter. They obtain this species of satisfaction; and, in time, wrath wears itself out. But, stifle their voices; stop their pens; *punish them*

for complaining ; — do these things, and you keep their wrath alive and in constant activity. They may be silent for a while ; they may disguise their feelings ; they may be made cunning ; but, they will *never forgive*. They will talk in *twos or threes* ; and this talk will be much more dangerous than the talk at *public meetings*. The restraint puts their invention on the rack to discover the means of vengeance. They speak in private quite another language than that which they spoke in public. They give a loose to the most daring and vindictive thoughts. These are communicated from mind to mind with rapidity ; and thus whole districts, and even a whole nation, become of *one mind* much sooner than they would, if open and free deliberation and discussion were allowed ; because, in the latter case, there would be rivalry for public applause, and this would, as it always has done, prevent, or, at least, retard, a general concurrence in sentiment. Shut men's mouths, stop their pens, and they instantly cease to be political "*agitators*," and become *plotters* and *conspirators*. In such a state of things the government loses all its powers of *dividing*. It no longer knows its enemies from its friends. It suspects every one ; it resorts to those means of *watching*, which governments that exist in fear have always resorted to ; and, in the long run, this only augments its danger.

When I landed in England, in November last, the news of

my arrival at Liverpool, upon reaching BOLTON in Lancashire, was announced by a man, who went round the town with a bell. He stopped at different parts of the town, and, after ringing his bell, said : "Our countryman, William Cobbett, is arrived at Liverpool in good health." This man, for this act, was taken before a magistrate, and *held to bail* to answer the charge against him at the next Sessions. When the Sessions came, he was discharged, no bill of indictment having been preferred against him ! This one fact is sufficient to show you what a state the country must be in ; and also what must be the feelings in men's breasts. How must I feel on that account ; and how must that good man feel ? Yet, if we were at liberty to say what we think on the subject, our feelings would soon subside. As it is, the feelings never can subside, as long as we have memory.

It is plainly seen now, that the putting down of public meetings has only created private ones ; that the *day-meetings* have given place to *night-meetings*. The newspapers will inform you of "*rebellions* in Scotland, in Yorkshire, and in Lancashire." They exaggerate, to be sure ; but, take them at their word, and then ask yourself whether the state of the government have been *mended* by the late measures against public speaking and printing ? Effect has followed cause here so regularly and so quickly, that one wonders how any man can be found to hope for a restora-

tion of peace from the use of coercive measures. The professed object of the late measures was to *restore tranquility*, by disarming, and by making it extremely difficult and dangerous for men to speak and print on the subject of politics. And now, at the end of only three months, out came, in various quarters, great bodies of armed men, some of whom fight battles with the soldiers ; and out came publications, such as no man ever before dared even to *think* of publishing, and such as must necessarily do more against the government in a day than all the former publications could, if they had not been suppressed, possibly have done in a year. And, which is truly ominous, this has taken place most extensively in Scotland, a part of the kingdom famed for the dispassionate temper, the morality, and the sound sense of its inhabitants. The Address, or, rather, Manifesto, of the Scots Reformers, has been read by every one who can read in this kingdom. Five hundred pounds reward has been offered by the government for a discovery of the author or printer. This circumstance alone would give it an importance in the eyes of the people ; and, in short, a document of such fearful importance has never before been published in this country. The newspapers pretend, that it must have been written by some man of *deep design* ; some *leader* ; some *great traitor*. And this shows what erroneous views are prevalent. This shows, that the enemies of reform are never to be undeceived as to the

state of the popular mind. If the government could have seen and heard the scores of lately-emigrated Scotsmen that I saw at New York, they would not be hunting about after *leading* men, as the authors of such a paper, which is not at all above the talents of many and many an operative weaver in Scotland.

To *quell*, to put down by *force*, a spirit like this is impossible. *Anger* is at work ; *shame* is at work ; *revenge* is at work ; and all these are working with their combined bitterness, and that, too, at a moment when every day's news from Spain tends to add to the activity of men's thoughts and hopes. It is surprizing with what delight the people receive the accounts from Spain. They are far more eager on this score than they ever were to hear of naval victories or of captured islands. They dare not *say* the half of what they think ; but, every man reads the heart of every other man ; and the fellow-feeling with the Spaniards is more general and more ardent than any public feeling that was ever before witnessed in this country. The late measures in France are *encouraging* to us rather than otherwise. A *censorship* on the press there only shews us, that the French people are held in their present state by *force* ; and we well know, that that force will, in the end, be unavailing.

Now, with this view of the state of England before your eyes, do you think, that a system of *force* is the system to pursue, especially at a moment when

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the Inquisition is tumbled to the earth and a free representative government is raised on its ruins? Do you not, when you have been reading the boasting accounts from our news-papers, about the *victories* over the Radicals, ask, as I have often asked, *when and how* all this is to end? You must clearly see, that such a state of things is wholly incompatible with a *restoration to prosperity*; and yet *when* is it to end? We have stated our case; we have made our complaint; we have *prayed most humbly* for redress. And, what is the result? We have been almost wholly *silenced*. We, for this reason, if for no other, look upon our prayers as reasonable and the object we pray for as just and right. To talk to us, therefore, about *yielding*, is not only unreasonable; it is sheer nonsense. We are as low we can be. We submit. We have nothing to yield. We have our minds and our hearts, our thoughts and our wishes. These cannot be taken from us; nor can we, even if we would, yield them up.

The government, in settling on what ought now to be done, will, if it be wise, discard the charge against us, that we are foolish, wild, deluded, or deluding men. It does not signify what we are in these respects. The simple question is, are the Radicals as they call us, *to be pacified by force*? And, I think it impossible, that any man in his senses can answer that question in the affirmative. Severity has been tried long enough,

one would think. The dungeon and all its companions have had no effect. Men are never reclaimed by severity, especially when accompanied by *defiance*. If the Radicals could be *exterminated*, there might be found men to recommend even that. But, they cannot. They make a large part of the nation, and that part too, who have the least to lose, and, of course, the least to fear. There remains, then, nothing but *cconciliation*; and this must come from the government; for, the mouths of the Radicals are stopped. They have nothing, as I said before, *to yield*. Therefore, the conciliating offers must, if peace be to be restored amongst us, come from the government.

Some empty-headed, high-flying parasite will say: "What! is the government to be *bulied* into compliance, then?" Never was there an insinuation more completely destitute of truth. Never have we *bullied*. *Forty years* have we and our fathers been most humbly praying for a Reform. We have been the most patient, most humble, most dutiful supplicants for redress that ever yet, in all this world, complained of a wrong. We have protested, in the most solemn manner, that we desire no change in the form of the government; that we desire to see nothing lawfully established destroyed; and that our sole object is to obtain for the *Commons* of the kingdom a full and actual representation in the House, which the Law calls "*the Commons' House*

of Parliament." This has been the burthen of all our speeches, writings and prayers. For this object we have sued in a tone more resembling that of Eastern slaves than that of men boasting of their freedom. And, that this has been the language of our hearts as well as that of our lips must, I think, be acknowledged by every one who reads the address of the Radicals of Scotland. The author of that address well knew, that *his life* was forfeited in case of detection. Nothing that he could have put into it would have added one pang to his sufferings. His life was staked on the event. He could stake nothing more. And yet, as to the *object* which he recommends, he confines himself to *a reform in the representation*. Such a man must be supposed to be a good judge of the general wishes of the Radicals. Such a man could, on an occasion where there could exist no possible motive to use disguise or reserve, have proposed a destruction of the constitution, if he had thought that that was likely to draw men into his views of resistance: yet he proposes no such thing; and this is a clear proof, that he knew the Radicals not to wish for such destruction.

Never, therefore, was there a charge more false than that of our having *bullied* the government. Our conduct has, throughout, been that of dutiful subjects and *humble petitioners*. Can we go lower than this latter character? Can we exhibit ourselves in any humbler

shape? Can we, if we still call ourselves human beings, find any means of conciliation or propitiation other than those which we have been using for forty years?

But, then it is said that we ask *too much*. This is *said* by a great many *good* men of property; who, if they were to join us, would decide the question at once, and restore peace and happiness to the most distracted and miserable country that the sun ever shone on. This description of persons *want a change* as much as we do. Nay, they all say, to a man, that there *must be a great change*. But they *fear* the Radicals. They fear us, not because they think we intend or wish ill to them; but, because we are in such a state of mind as may lead to things that we do not intend or wish; and they keep aloof from us, and, in some cases, even join against us, lest they should, by giving us countenance, hasten that state of things!

Such persons reason wrong, they do not reason at all: they listen only to their apprehensions. For, as to asking *too much*, all we ask for is, that the *Commons*, that is, *all* those who are *not nobles*, may choose freely one of the Houses, called "*the Commons' House of Parliament*." How could this *endanger property*? But, the question has been rendered, by our opponents, not at all a *question of degree*; but a *question of any thing, or nothing at all*; for they say, or, at least, they *have said*, that we shall have *nothing*. Mr. CANNING, one of

the Ministry (and by no means a cypher) has lately, and very lately, taken uncommon pains, even extra-official pains, to set us at *open defiance*; to tell us that *he will preserve OLD SARUM*; and to call his hearers and readers *resolutely to take their side on this ground!* If he speak the voice of his colleagues, how foolish it is for any body to remonstrate with us as to asking *too much!* And what folly, or hypocrisy, must that man be guilty of, who believes, or pretends to believe, that we have hitherto failed, *only because we have asked too much!*

When a man asks of another for any thing, which, as he thinks or says, the other ought to give up to him, and when the possessor is disposed to give up *a part* of what is asked for, the latter remonstrates with the former on the exorbitancy of his demand, and states explicitly what he is willing to yield to. This presents grounds for *discussion*: it is here a question of *too much or too little*, which question may be discussed with temper, and even with friendship between the parties. How many questions of this sort arise daily between friends and even between brothers, and are settled too without any diminution of the friendship that existed before! But, if the possessor declare, at the out-set, that he will *yield nothing*; and, especially if he treat the application with disdain, and load the applicant, at once, with every species of contumely, scorn, reproach and abuse, and charge him with the most wick-

ed and diabolical intentions; in such a case it is no question of *too much or too little*: it is a mere question of *right* to be settled by the *law*; or, in the case of parties, who acknowledge the jurisdiction of no umpire a question of mere *power*. In such a case it is folly, or hypocrisy, to talk of the applicant having asked *too much*; for, the bare act of having asked for *any thing*, and even the very *principle* upon which he asked it, is imputed to him as *a crime*.

Monstrous as this last proposition may appear, it is, nevertheless strictly and literally true; and this has been the real cause of all the ill-blood that now exists in the kingdom. The measures of the last twenty-eight years, the ill-advised wars, the worse-advised measures of finance, have produced the *miseries* which the country endures, and which are daily increasing, in all the industrious walks of life; but the *ill-blood* which precludes all hope of seeing better days, is to be ascribed wholly, to the harsh measures, with which the pray-ers of the Reformers have been uniformly met, and to the unjust and unsparing reproaches and contempt that have been heaped upon their actors, their motives and their characters. Compared with this cause of irritation heavy taxes are nothing. With *good words* men will labour hard and fare hard chearfully; but with *bad words* they will do and endure nothing that they can, by any means, avoid doing or enduring. And, with regard to the Reformers of

this kingdom, the abuse that has been heaped on them is not to be described by those who have witnessed it, and not to be imagined by any body else. Pouring on them from all quarters there has been a torrent of calamities, taunts, false accusations, persecutions, such as it is not in human nature to endure without harbouring a desire of revenge. Here are three hundred newspapers, besides other publications, constantly pouring forth their calumnies against us; and, to none of these do we dare reply, except in the most cautious manner and most measured terms. In short to *forgive* these injuries is impossible: it is quite enough to suppress a desire to seek vengeance for them. From the vipers of various descriptions, who assail us, we receive treatment far worse than the Christian captives receive at the hands of the Algerines; and it happens here as in Algiers, that the *Renegados*, of whom we have not a few, are the most insolent and cruel persecutors. Whether they will ever be glutted with the blood of the Reformers I know not: at present they seem to delight in slaughter as much as Nero or Caligula ever could: they seem to be happy, that the new reign has been ushered in amidst civil broils and executions: they announce every ebullition of discontent as a "rebellion," and call aloud for the *blood* of "the rebels:" every thing tending to resistance, by words or deed, is, with them, a *treason*, and they seem as eager for the death of the offenders,

as your horses are for water in the burning days of August. Horrid are the tales, which have been related to us about the *French Revolution*; but, I question, whether, at any one period of that revolution, there were a greater number of persons in prison for offences against the government than there are for offences against the government, at this moment, in prison in this kingdom! There is a Mr. HARRISON, a dissenting minister, who has been convicted of sedition, on *three separate indictments*, at the assizes at Chester. God knows what his punishment is to be! At the *Justices' Sessions*, in that county, a man was, for *selling pamphlets and other acts of sedition*, under several indictments, sentenced to *four years and a half imprisonment!* All this is subject of *triumph*, and even *merriment*, with the corrupt part of our press; that is to say, with nearly the whole of it.

And yet, you see, the spirit of *Reform* is in no degree damped. It is, on the contrary higher than ever; and, daily and hourly, converts are making to the cause. In the meanwhile the government has *its troubles*, in which the Reformers take no share, though they may, perhaps, keep an attentive eye upon them. The *Debt* is producing miseries, which I should in vain attempt to describe to you, who live in a country, where the tax-gatherer shews his face but once a year, and then only for a few dollars, from a rich man. I wish you could be here for a month, and see the cares, the

anxieties, the fears, and the embarrassments that pervade the family of every tradesman and every farmer. You would flee back, even at the risk of being a day-labourer all the rest of your life. It may be truly said, that no nation ever was so miserable as this now is. *All* the labourers are *paupers*. There is no such thing as *comfort* known amongst the labouring classes.

Every one sees, that this state of things cannot remain stationary; that it must become better or worse. The latter it must be, unless some legislative measure be adopted to make it better. Accordingly, projects are as plenty here as Clams are at Rockaway; and, to my taste, much about as good and as wholesome. There are only two that can be *effectual* in affording relief. One is, the *sponging out of the Debt*; and the other, a *division of the land and giving part of it to the Fundholders*. I am, for my part, a mere spectator in this affair; and, really, do not care which be adopted. The latter is the most *popular* of the two; and there is a plan of that sort actually recommended to the Parliament, who, in their wisdom, may possibly adopt it *next year*. You will easily see what a pretty blow such a scheme would give to the *Aristocracy and the Church*. It would have *other effects*; but these may as well be *guessed* at for the present. The main part of the nation are for the Fundholders being paid *out of the land*; that is to say, for the *division* above spoken of; and which I assure you is seri-

ously proposed; and not by us, Radical Traitors, but by very *loyal* gentlemen. If this be our state in profound peace, what is it to be in case of another war? And another we must have, I verily believe, before long, or see a *French Republic* quietly sit itself down by the side of us!

Now, my dear Sir, is here not quite enough for a government to be thinking of, without having reform "*rebellions*" on its hands? Can any government wish for a *civil war* in addition to all these difficulties? No; that is quite impossible; and yet, how is a civil-war to be avoided, unless something be done to conciliate the Reformers, who, I am satisfied are, in point of numbers, *four-fifths* of the people? If war come, what a terrific aspect will things present? A war now, with a treasury empty, a Debt irredeemable and confessedly so, a people exasperated almost to madness, or sinking in despair, and with Europe and America in quite a different temper from what they were in at the close of the last war; a war now would frighten from our shores every man, who could possibly carry off his property to your shores. And yet the prospect of *lasting peace* is not much less terrific. For, as to commerce and revenue back they must come to nearly the mark of 1793. Other nations, if we remain at peace, will have their due and natural share of commerce. It will be impossible to go on without a change nearly approaching to a total breaking up. And yet, with all this before their eyes, there are

men so stupid as to hope, that all is to be safely settled, *and that the Radicals are to be beaten into the bargain!*

Nations, like families, have their *rise* and *fall*. The third or fourth generation from a chimney-sweep frequently ride in their carriages; and, then, a generation or two from these are frequently coachmen and footmen. It is somewhat thus with nations, and especially with nations that give much into external commerce and paper-money. We know how quickly merchants rise, and how quickly they fall. We, the creatures of paper-money, come, and go, appear and disappear, like the grass. Solomon says, that "all flesh is grass," and this is almost literally the case with commercial men, who rest on a paper-money. A nation of the same description must have its *ups* and *downs* too. This nation has been *puffed up*; and now it must, in this respect, *go down*. When Pitt and his successors *proved* to us, that our commerce and manufactures had increased *three-fold* during the war, they *proved too much*; for, they proved, that, whenever peace came we must lose a great deal of what had been gained in war; and that this loss would come at a time, when we should by no means be able to bear it. The loss is coming gradually on, and we are feeling the effects. When men talk of the *capital* of England, they forget, that what they call capital is *fiction*. It is Bank notes, for the greater part, which represent *Debt*, and not capital. You know how a young

flashy blade of a merchant feels and looks and is, who has been at work on *accommodation paper*, when the Bank will no longer discount. Just in the same state is this nation now. It was accommodation paper, with which the war was carried on; and, the accommodation being now stopped, the nation is fallen into a state of vapidness, lifelessness, and decay. An immense debt was contracted, while the accommodation paper was afloat, and the lenders now hold the borrowers to the letter of the engagement; so that those who own the land, or have to work, in any way whatever, are ruined to raise money to pay the lenders; and here are pretty nearly *five millions* out of *fourteen*, who live *without any productive labour* at all merely upon the interest of the *Debt*! Suppose your good neighbours Wiggins, Sweet, Hicks, Hendrickson, and sixteen others like them, to borrow a thousand dollars each, upon their farms, of you; and suppose their Indian corn to sell for *a dollar a bushel*, when they borrow the money. At six per cent. they will have to give you sixty dollars a year each, which gives you an income of 1,200 dollars a year, and, suppose to have lent your *all* (which is the case with a fundholder), this income will enable you to live in a good house, to keep, we will say, three servants, four horses, carriages, and every thing in proportion. Wiggins and the rest pay you their interest very punctually. They are the *nation* and you the *fundholders*, and you

go on very comfortably. But something takes places (no matter what), that reduces the Indian corn to *half a dollar a bushel*, and *keeps it at that price!* What is to be done now? I think I see poor Wiggins, with his head on one side, giving you a most woeful look, while Sweet is rubbing his hands, and wondering what's the matter. However, they pay up all but a trifle, perhaps, at first; and on you go.

But you, finding your income doubled by this lucky change, will lose no time in adding to your stock of horses and servants. You will expend more than you did in all departments. And you will not fail to think the government at Hampstead plains to be the best and wisest that can be, "the *envy* of surrounding townships and the *admiration* of the world." But, how do Wiggins and the rest of the nation find it. Speaking of things in kind, they have 120 bushels of corn each, instead of 60 bushels to give you. They must *retrench*. No more wine for them; scarcely any spirits or sugar or tea; their wives and daughters must come to home-spun; all must become shabby; many things must be banished from their tables; some of their labourers must go to *idle away* their time in your service to make nice walks and plant shrubberies for you, and attend you in your parties of pleasure. Thus a part of the hands before employed in *productive* labour, will now be employed in *unproductive* labour, or rather in idleness. Wiggins and

his associates must live harder, work harder, and, after all, be unable, in some cases, to pay up this interest. In short, they get deeper and deeper in your debt, and, at last, you propose to take their farms, and for them to become your bailiffs, or labourers, or, at least to farm with you *on shares*. They have all lost their land, and you have got it, and yet all has been legal and fair dealing from the beginning to the end!

This is precisely the progress that things are taking here. The *productive* part of the community are just in the state that Wiggins and Sweet would be, when, after long struggling in vain, they came to give up their land, and to beg you take them in to *farm it on shares*; and, I have no scruple to say, (indeed I have, in my last Register, *proved the fact*), that those, who are called the *land-owners* here in England, have no more of real ownership in it, than your sharing man, PENNY, has in your estate at Hampstead plains.

You will say, perhaps, "well, "I really see no harm in this. "Wiggins and the rest of them "will still be well off. They "will have to work for me, to "be sure; but, here they will "be, and the people that they "used to employ, will be employed by me, in one way or in "another." This is the way in which our fundholders and our government reason. But, mark! Those whom you employ on your pleasures will be *unproductively* employed, and will, besides, *consume more* than so many productive labourers. Wiggins and his fellow suffer-

ers will not be so careful, so active, and will not produce so much as they did before. You would soon see your township less fertile, the buildings less good, and all *declining*. And, should the neighbouring township make an attack upon you in order to get part of your lands or goods or stock, you would find Wiggins and the rest not very zealous to march in your defence. Besides, some of these borrowers may, before they be quite ruined, sell out to you; and go off with the money to another township, leaving all the labourers behind them. You will have the *land*, to be sure; but a part of your *capital* is gone away to be productively employed elsewhere; to assist in causing another township to flourish at the expence of yours. In a short time you would find the manners and morals of your people wholly changed; and, in a few years, you would be a *master* of a set of *slaves*, that you would be compelled to have whipped to their work and to have fed and lodged in the most miserable manner. The general poverty of the land and shabbiness of the dwellings and out-buildings would increase with the in-

crease of your troops of gay servants and the grandeur of your mansion. All but your mansion and its inmates and appurtenances would be misery. Every soul would hate you; and, to preserve your life, you must go well armed, and have bands of spies in your pay. "Oh God!" you would, upon seeing this in prospect, exclaim, "let me not come to this! Here, "Wiggins" and Sweet and all of "you, keep your farms! Give "me the *sixty bushels of Corn* "that you used to give me, "and let us still be kind happy "neighbours."

But, conduct like this, such forbearance, such true wisdom, is not to be expected in masses of men, who have been brought up with *interest tables* constantly under their eyes. With such men; according even to the *vocabulary* of such men, *poor* means *foolish*, and *rich* means *wise*; to *gain* is *merit*, and to *lose* is *demerit*. Besides, in our case, there is a complexity, which is quite enough to addle a very sound brain to contemplate, and which, together with the powerful interests that are at work, seem to render a *composition* wholly impossible.

You will easily perceive how

all these difficulties must be increased by the ill-blood existing among the people. During the existence of "rebellions" here and there, and alarms (false or real) almost every where, it is clear, that the government cannot venture upon any measure likely to be *effectual* in affording that *relief*, without which all agree, that some terrible convulsion must come. It is not, therefore, *nonsense*, as some pretend, to say that *reform* would *afford relief*. Reform would, at once, render wholly unnecessary an expence of *ten millions a year*; because no army at home, not half the present navy, none of the enormous expences of the yeomanry, and other things, necessary to keep men in awe, need be wanted. The mere annual waste, arising from this cause, amounts to *millions*. Only think of the effect of leaving these ten millions a year in the pockets of the people to be employed in *productive labour*. Only think of the effects of a restoration to universal goodwill, peace and security. And only think of the effect of putting a stop to the *transfer of capital* from this to other countries, which transfer arises, in

great part, from a dread of the result of the quarrel between the government and the Reformers;

In the Prince's Speech, with which the last session was opened, he observed, in alluding to the disturbances in the North and to the conduct of the Reformers generally, that it was impossible to set about any *internal improvement*, *until internal tranquillity and confidence should be completely established*. This was very true; but unhappily the measures adopted were not calculated to produce this desirable preliminary effect; and we now see, that the country is in a more alarming state than ever, if we are to believe only one-tenth part of what the public prints tell us. Of course, no plans of internal improvement can be adopted or thought of. What was meant by *internal improvement* it would, perhaps, be difficult to say. Nothing can be effectual in the way of *relief*, except it include some great measure relative to the *Funds*; and, I agree readily, that no minister in his senses will venture on such a measure, unless the country be in a state, not only of tranquillity, but *good-will*; for, outward tranquillity

may exist while all is real danger.

Therefore, the first thing is to secure *real tranquillity*; to put an end completely, to what are now called “*rebellions*,” or *civil wars*. And this may, in my opinion, be easily and instantly effected; not by actually *making a Reform*; but by making the subject a matter of *discussion and deliberation*, upon the *recommendation of the King*. One single sentence in his Speech, or in a Message from him, tending clearly to this point, would restore his kingdom instantly to peace and good will. The Radicals, conscious of the goodness of their cause, would wait for the completion of the measure, nor even for the discussion on it. They would fling away their pikes and their resentment both together; and the post that carried the news would return loaded with addresses of thanks. The Ministers would not, then, be afraid of “*large meetings*” and of “*cheap publications*.” They might safely open the jail-doors of the “*sedition libellers*.” And they might, even before they had concluded upon any specific plan of reform, adopt, with the great mass of the

people at their back, any measure, however vigorous, for affording to the country *effectual relief*, and for saving it from that ruin which now hangs over its head.

I have been told, with what truth I know not, that *all* the Ministers do not agree in opinion with Mr. Canning; and that they are *not* resolved to *preserve OLD SARUM*, let what will come of *Old England*. If this should be true, we shall have *no Civil War*; and, therefore, I hope it is true. We shall see, in a very few weeks what is likely to take place in this respect. The question is the most important one that ever engaged the attention of man. If it be settled amicably, the greatness as well as the freedom of England will be established for ages: if not, no man can foresee what misery and degradation this country has to endure.

Governments generally but listen to their *vindictiveness*, and nothing else. They have power to inflict punishment, or misery, on those who offend them; and they very seldom forbear to exercise it. They would, if they could reflect and reason, see, that, in the *end*, this must lead to their own injury. But, they

calculate only for the present time. Men in power have, at most, but a *life-hold* in the thing. The *Stuarts* and their creatures had numerous *triumphs* over the Radicals of their day. They fined, imprisoned, hanged, quartered, and ripped up bowels at a famous rate. They *triumphed* over SYDNEY, RUSSEL, and many others as worthy as these. They discovered plots, conspiracies, treasons and rebellions in abundance: they made the gallows groan, and the scaffold stream. They cut off men's ears, split their noses, burnt their cheeks, imprisoned them for life, for what they called "*sedition libel*." Yet, all this did not succeed in the *end*. Their system fell *at last*, the *Stuarts* fell beneath it, never to rise again; but the people, though grievously lacerated, remained still a people. I dare say, that, in the time of the *Stuarts*, the parasites of power held just the same sort of language towards the "*disaffected*" as is held towards us by the parasites of the present day. To be "*disaffected*;" that is to say, not to have *an affection for* the deeds of the government, was then, I dare say, held to be a *crime*, be those

deeds what they might; and we know (for we have the trials on record) that to publish any thing displeasing to the government was deemed "*sedition libel*."

Not only did the *Stuarts* not succeed in the end, but they themselves were defeated. And, if the people were not to be overcome in *those days*, is it likely that they will in *these days*, when the spirit of freedom agitates the whole world; and when it is now completely triumphant in a great nation, who, only in November last, was submitting quietly to the horrible tyranny of the Inquisition?

Here, in this one event, is a sufficient reason, if there were no other, for the government's yielding upon the question of reform. There is no doubt in my mind, that, in 1793, war against France was *necessary*, if *reform was to be refused*. For, to suppose, that the English would rest quietly *without reform*, while the French enjoyed all the benefits of a free representative government, would have been madness. But, is not war necessary, then, against Spain now, on the same principle and for the same reason? Or, is not the success of freedom in Spain a powerful motive for yielding up to us what we deem to be our rights; what we have so often and so humbly petitioned for; and which we have so many thousand times shewn to embrace nothing tending, even in the most remote degree, to destroy or impair any part of the Constitution, but on the

contrary, tending manifestly to preserve and strengthen the whole? We, of course, have our eyes fixed upon Spain. It is not a mere reform of abuses, such as we humbly sue for, that we see taking place there. We see a despotic Prince brought down, at once, to be a mere *Official Chief*, like your President; and we see, that his brothers are called *Citizens*. We see the king with as little power as Mr. MUNRO. We see the whole of the people represented in reality, and not *virtually*. And, if this change be established; if it succeed, as, according to all appearance it will, is there a man in his senses, who can imagine, that the English, Scots and Irish people will ever be content until they obtain that constitutional Reform, which they have so long and so patiently been waiting for: and which they have prayed for almost upon their hands and knees?

The situation of France would, alone, one would think, be sufficient to induce the English government to conciliate the Reformers. The Bourbons have tried to bring things back to the *ancient state*; and they have tried in vain. *Alarmists*, *Jesuits*, all have been at work; and the result is, that nothing but silencing the press and *imprisoning persons at pleasure* will preserve the Bourbons even *for the present!* Who believes that this can last long, with a successful revolution in Spain to give encouragement to the friends of freedom in France? And yet, if another revolution

should break out in France, what is, *then*, our government to do, if it continue to refuse reform? One of two things will happen in France: the present popular party will triumph, the press will be free, the elections will be free, France will have a *freely chosen House of Commons*, and will still have neither *tythes* nor a *dominant Priesthood*: or, the despotic party will, for a while, prevail, and will be crushed by *another revolution*. In either case how must our government find itself, unless it agree to a reform before these events arrive? And, how must it find itself then, if, instead of *yielding up something to the spirit of the age* and the example of other nations, it persist, not only in refusing to give way even an inch, but in keeping in force a new code of laws, by which the liberties, which the people enjoyed even in the days of the Stuarts, are greatly abridged? One would think it to be impossible that it should thus persist; but, after what we have seen, what ought to excite our surprize?

I have now, my dear Sir, given you a true and faithful account (as far as I *dare*) of the state of things in England. It will enable you to detect the falsehoods promulgated in America by the second-hand tools of English corruption; and the writing of it affords me the gratification of publicly expressing the sincere friendship and great respect, with which I remain

Your most obedient
And most humble Servant,
WM. COBBETT.

APRIL 29, 1820.

TRIAL OF SIR CHARLES
WOLESLEY
AND
MR. HARRISON.

In future Numbers of the Register, I shall give an account of what has passed, of a remarkable nature, at all the late *Trials for Sedition*; but, in this trial, all is remarkable! It is impossible that we should not, hereafter, to have to recall the conduct of the actors in these scenes! I beg the reader to look well at the conduct of all the parties on this trial! I can venture to offer no opinion; to make no comment; to express neither praise nor censure! Indeed it is not necessary: the reader has only to read! This trial, better than a thousand descriptions, exhibits the state in which we are!

SEDITION.

THE KING v. SIR CHAS. WOLESLEY, BART.
AND JOSEPH HARRISON.

Monday, April 10.

About half-past nine this morning, Sir Charles Wolesley, accompanied by his brother-in-law, Sir Thomas Clifton, and two other gentlemen of the name of Eyre, entered the Court, and took their places near the table: and at ten, two other causes having been disposed of, it was called on. A Special Jury was called over, of whom the following answered and were sworn:—

James Wylde, Esq.
Booth Grey, Esq.
James Stanton, Esq.
W. Washington, Esq.
Edward Jones, Esq.
W. H. Washington, Esq.
James Bayley, Esq.
George Eaton, Esq.

TALEMEN.

James Allen.
Richard Woodfin.
George Rutter.
John Banks.

The pleadings were opened, and the indictment read to the following effect:

"CHESHIRE.—The Jurors of our Lord the King upon their oath, present, that Sir C. Wolesley, late of Stockport, in the "City" [County] of Chester, Bart. and J. Harrison, late of the same place, schoolmaster, being persons of a turbulent and seditious disposition, and wickedly and maliciously devising, and intending to excite tumult and insurrection, both in this realm, on the 28th day of June, in the 59th year of the Reign of George III. of the United Kingdom of Great Britain and Ireland, King, at Stockport aforesaid, in the said County, together with divers other persons to the number of 500 and upwards, with force and arms, unlawfully did assemble and gather together to disturb the public peace, and being so assembled together, did, by seditious speeches and discourses, and by other unlawful and dishonest means, then and there endeavour to "invite" [incite] and stir up the people of this realm to hatred and contempt of the Government and Constitution thereof, as by law established, in contempt of our said Lord the King and his Laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity," &c. &c.

Mr. BENYON (Attorney-General of Chester) stated the case to the Jury. "Gentlemen of the Jury, you have heard the indictment against the defendants read, in which the two defendants, Sir Charles Wolesley and Joseph Harrison, are charged with intending to excite commotion at Stockport, on the 28th of June last, with unlawfully assembling to disturb the public peace, and by seditious speeches to stir up the people of this realm to hatred and contempt of the Government and Constitution, as by law established. The second count in the indictment charges the same offence, but is somewhat varied in the expression. Gentlemen, you are, no doubt, well aware, at least most of you must have heard that this prosecution springs out of one of the numerous meetings which were held last summer. These meetings were eminently calculated to alarm all the peaceable subjects of the realm, meetings convened and presided over by strangers and itinerant

orators, who came from their different occupations to harangue the multitudes they were enabled to assemble. But, Gentlemen, whatever you may have known or heard upon that subject, I entreat you to banish it entirely from your recollection. I am perfectly sure you will give your decision, not on what I may say, not on any thing you have heard before, but simply and solely on the evidence I shall adduce. The two defendants, Sir Charles Wolesley and Mr. Harrison, are persons who are well known. Sir Charles Wolesley is a gentleman who has a considerable estate in Staffordshire, and he inherits a property and the dignity of a baronetage through many generations, from the time of Charles the First. Harrison, until lately, was a stranger in the county of Chester, and is described in the indictment as a schoolmaster; he formerly settled in Derbyshire, but was a resident at Stockport at the time he committed the offence charged against him in the indictment. On the 28th of June last a public meeting was announced to be held at Stockport, under the real or pretended pretext of petitioning for a Reform in Parliament. The numbers assembled on that occasion were above 5000, and according to one of the defendants exceeded 10,000. Previously to this meeting you will find Sir Charles had been acquainted, that they had been in correspondence on the day of meeting—that they had been in conversation with each other—that they were not strangers to each other or to the intended objects of the meeting, from which circumstance, as it appears to me, they must have gone upon some pre-concerted scheme. The meeting was attended by many persons armed with bludgeons, not merely meant for shew, not merely meant for intimidation, but so used as nearly to put a constable to death. Could such a meeting be considered fit for deliberation? Could it be called peaceable? Banners were carried, having on them the usual cant inscriptions, "No Corn Laws, Annual Parliaments, Universal Suffrage, Vote by Ballot." Bludgeons were to be found almost in every hand; the crowd was more numerous than on any former occasion; and after this, could it be fairly considered as a deliberative assembly met together for a peaceable and constitutional purpose? A

stage or platform was erected, on which the leaders mounted, two of the principal of whom were the present defendants. It was previously agreed, perhaps, that Sir Charles should take on him the office of Chairman, and he was clamorously called to it. He acquiesced, and took the Chair, and having taken it, you will hear what passed: you will hear the seditious words alleged to have been spoken by him for the purpose of bringing the Government into hatred and contempt. Gentlemen, there is often a great difficulty in bringing witnesses to tell all the words uttered on such an occasion. No prudent man would venture to mix in such a crowd, but curiosity in some overcame their prudence, and some did go there, from whom you shall hear the substance of what was said by the present defendants. I shall not here state word for word what their testimony will be, I merely generally advert to its character, on which it will be for you eventually to decide. After the tumult of the meeting had subsided, Sir Charles Wolesley said—

Mr. PEARSON.—My Lords, the witnesses should be sent out before the Learned Counsel enters immediately on his case.

Mr. Sergeant Cross.—Yes, the witnesses, on both sides

The Court then ordered the witnesses out, and after a pause of some minutes,

Mr. BENYON resumed.—Having, Gentlemen, already stated to you the erection of a platform or hustings, the numbers assembled, the bludgeons with which they were armed, the prominent part taken by the defendants, and Sir Charles Wolesley being in the chair, I shall now state to you what he said on that occasion. He said he was the first who made a kick at the Bastile in France, and he hoped he should be present at the destruction of other Bastiles in England; he declared his hatred of spies and their employers, Castlereagh and Sidmouth, and added, that as long as the people were unrepresented taxation was tyranny, and resistance was justifiable. I have here only pointed generally to what he said, and if you believe he actually made use of them, I can make use of no language, my imagination can frame none, more calculated to disturb the public peace, and

APRIL 29, 1820.

bring the Government of the country into hatred and contempt. Garrison, the other defendant, followed Sir Charles Wooley, and declared against petitioning the Legislature, as degrading and humiliating. He said a meeting should be held at Oldham, congregated so as to form a National Union, from whence a new and enlarged representation should emanate. That the two defendants were well acquainted, I shall show you that two days after the meeting, a letter was written by Sir C. Wooley to the Postmaster at Bridport, complaining of some delay that took place in the delivery of a letter addressed to Garrison; and though this be not necessary to prove the fact of such acquaintance, I think, for the sake of the ends of public justice, I may as well read it to you.—[Here the Learned Counsel read the letter.] To this the Postmaster replied, no letter was stopped, and generally repelled the charge made against him by the defendant. This, Gentlemen, shews a correspondence between the defendants; but if any doubt remain upon this subject, I shall read you another letter, addressed by Garrison to a man in Chester Castle, of the name of Baguley, which was opened by the direction of the Magistrates in consequence of the prisoner's improper behaviour. This letter I shall read for you; it states the circumstances of the meeting, the numbers assembled, the banners used, and the Presidency of Sir C. Wooley. If then, Gentlemen, you consider the words of Sir Charles to be seditious, it is in vain that we may hear it said Garrison does not participate in Sir Charles Wooley's guilt. So far, Gentlemen, I have given you an outline of the evidence I intend producing; and here let us pause, and see if it will bring home to the defendants the charge against them in the indictment. They are charged with having attended a tumultuous meeting; with unlawfully assembling to disturb the public peace; and conspiring, by seditious speeches, to excite the people to a hatred of the Government and Constitution as by law established. From what I have already said, you will see that seditious language was used; but you are not to build any thing on what I say, unless it is substantially given to you on incontrovertible evidence. With respect to

the nature of the meeting, that it was a legal, quiet, constitutional meeting, for the purpose of petitioning for a Reform of Parliament, is wholly disavowed by Garrison, for he says the period for petitioning is at an end. 'Twas not then for Reform they were assembled; his letter disavows it. Nor can the other defendant, if I prove the use of seditious words against him, creep out of this prosecution by alleging he had no concert and no participation with any guilty act or acts of Garrison. If even he did not use seditious words, he was Chairman when and where they were used, and so far attaches to himself whatever criminality they naturally bring with them. I do not say it is improper to meet in order to petition for Reform in Parliament—to meet for the purpose of addressing the Legislature to obtain redress from actual or supposed grievances. Heaven forbid I should tell you, standing in this place, that such meetings are not proper, or not legal. No, Gentlemen, the right of petition has been handed to us as a valuable legacy from our forefathers, and I trust we shall ourselves hand it down unimpaired to our posterity. With respect to the banner having on one side of it the motto of "No Corn Laws," I say, if the meeting had assembled for the purpose of discussing that question, it would certainly be unobjectionable. Upon that question some of the wisest political economists differ very widely; many say they are improper; perhaps some of you, Gentlemen, may, or may not be of the same opinion, though I do not agree with them, and it is but fair that those who think them improper or injurious should be permitted to petition against their continuance. Still petitions of that kind should be conducted with quiet and decency, and not in such a manner as to threaten and intimidate and endanger the public tranquillity. Still if they petition quietly, I say again, heaven forbid they should not be allowed to do so. It will, however, be for you, Gentlemen, to say whether the meeting was or was not intended for the purpose of intimidation; whether, from its general character and aspect, and the expressions made use of at it, it was or was not calculated to bring the Government of the country into hatred and contempt. I shall not now say more, at least at the present; during the pro-

gress of the trial I may have again to trouble you.

John Kenyon Winterbottom examined by Sergeant CROSS—I saw a public meeting at Stockport on the 28th June, it was between one and two o'clock; I attended near it, at a place called Sandy Brow; I think 4 or 5000 people were assembled; I was not near enough to observe if they were of the town or not. They were very quiet when I first saw them; most of them had sticks, apparently got from hedges, newly got, and not like walking-sticks; they were generally pretty straight. The population of Stockport is about 20,000 persons. There was a hustings, or a scaffold; I saw several persons there; Sir Charles was pointed out to me as being on the scaffold; Harrison I knew; he is a schoolmaster, he lived then at Stockport. The first thing I observed was a hissing by the whole multitude; I was not aware of what occasioned it. I heard people in the room where I was say—

Mr. PEARSON objected to the witness relating any thing of what he had heard others say.

Witness—The next thing I observed, was the passing some resolutions; the Chairman was Sir C. Wolesley; I did not perceive how he got into that situation; he was there when I reached. We have many persons of common sense at Stockport to preside at a meeting. I was about one hundred yards from the scaffold, and I could indistinctly hear all that was said. I only heard Sir Charles say, "unanimous." I did not vote. I saw persons vote by holding up of hands and sticks, but on the occasion of passing a resolution, I saw no dissenting sticks held up. I saw no respectable inhabitants take any part in the proceedings; I felt perfectly secure at the time I saw the meeting, and continued to feel that confidence till the night; but if they were kept till night, then I considered it would be dangerous; I only heard Sir C. Wolesley say the word "unanimous;" I heard Harrison say, "the House of Commons were the people's servants, that it was as absurd to petition them as it would be for a master to petition his groom for his horse;" he said, "there was a barrier between the throne and the people, which must be removed, either by force from Heaven or Hell, in order that they might see

whether a man or a pig was upon the throne." He said, "the united will of the people was sure to prevail, it was an axiom that could not be confuted; it might be necessary in some cases to petition the House of Lords, who were by the constitution placed in a different situation from that of the House of Commons, but in the present corrupt state of things it was useless, and he would not recommend it."

Cross-examined by Mr. PEARSON—I was about 100 yards from the hustings; there were women at the meeting, I should think a hundred or two; not so many as 500; perhaps there were children there; I don't know on the side next myself, but children were playing; I only saw the people after they had met; the whole body had sticks, but they were not held up all the time during the meeting; I say most of them had sticks.

Mr. PEARSON—Tell me, Sir, how many you think had sticks?

Mr. Justice Marshall—We have no number given as yet; there is no contradiction; he has already said most of them had sticks.

Mr. PEARSON—My Lords, I don't know that I am asking any improper question. I do not see what objection the Court can have to it. I think it necessary to ask it; but if the Court think otherwise, I shall not persist in it.

Witness—I live with my father and sister; they were not removed in consequence of the meeting, nor any other persons; no shops were shut; if any were, I would have heard of it.

Mr. PEARSON here read an extract from a newspaper, in order to have the distinctness of the witness's recollection put to the test, by desiring him to repeat it after him, as he had just done that of Harrison.

The COURT—This language has worked mischief enough elsewhere, not to have it repeated here again.

Mr. PEARSON—My Lords, I see nothing objectionable in it; if I had any book of prose or poetry near me, I should have preferred it. I read the passage to try the distinctness of the witness's memory. Can you repeat, Sir, the passage I have just read?

Witness—I cannot repeat it. There was nothing to distinguish the laugh from what is usually done at an absurd thing; I heard some other parts of Mr.

Harrison's speech ; I think I heard him say, " if they petitioned at all, they should petition the Throne or the House of Lords." I do not remember his complaining that some prior petition had not been transmitted to the Prince Regent ; I did not hear any one distinctly but Sir Charles.

Examined by Mr. HARRISON—I live in Stockport, at the Church-gate ; I am an attorney ; I took notes of what I heard ; I have not got them ; I heard you distinctly, and when I said, " I heard indistinctly," I applied it generally to all the speakers ; I heard enough in what you said ; I had no directions to pay particular attention to what you said ; I took your using the word barrier as a figurative expression, that something was intercepted between you and the throne. I formed no idea as to what was intercepted ; when you said, one could not know if a man or a pig were on the throne, you meant it in contempt ; I read of Burke's observations calling the people a swinish multitude ; I heard of an allusion to a pig in the school where I then was, but I do not know what association to that subject you might have had ; I did not suppose the people were deriding the speaker, but that your observation had a tendency to deride the throne.

Again examined by Mr. Sergeant Cross—Mr. Knight, Fitton, Mr. Lewis, and Mr. Willan, were there ; they were all strangers at Stockport ; they appeared to be acting as leaders ; Harrison was the only one I knew to be an inhabitant of Stockport.

Thomas Bolton examined by Mr. ASHWORTH—I live at Stockport ; I recollect a meeting on the 28th of June ; I saw numbers of country people coming into town by different roads ; I have been eleven months at Stockport ; they appeared strangers who came. I cannot say how many people passed ; they were probably two hours in passing, but I cannot say how many ; I observed they had nothing more than is usual, what I saw appeared to be walking-sticks ; I was at the meeting ; I saw Sir Charles going up to it, by the direct road up to John-street—a young Gentleman, I believe of the name of Lewis, was arm in arm with him ; when I reached the meeting I observed a flag, on one side was, " No Corn Laws," on

the other, " Annual Parliaments, Universal Suffrage, and Vote by Ballot ;" when I first saw it, it was furled—I afterwards saw it lowered, for the purpose of putting on it a red cap of liberty ; I followed shortly after Sir Charles ; I got so near the hustings as to be within ten yards ; I was for five minutes about thirty yards from it ; I saw Sir Charles on the hustings ; the Rev. Mr. Harrison was there ; I knew him ; Mr. Fitton, Willan, Johnson, and several others were there also, but I did not know them ; those I have mentioned as not inhabitants of Stockport ; Harrison was on the left of Sir Charles ; there was speaking ; I observed a conversation passing on the stage ; Sir Charles bore a part in it ; Harrison apparently joined in it ; I can't tell what was said ; I was observing the meeting before he mounted the hustings ; I don't recollect any thing particularly being done ; Sir Charles was received by loud huzzas ; great numbers at the meeting I knew to be townsmen ; I saw no sticks unusual with the people ; they were not more numerous than I should expect ; I stood amongst the crowd, but I gained high ground when I could ; I could not hear as distinctly as those more elevated ; I did not observe a chairman, my curiosity was to hear Sir Charles ; the first attention I paid was to Sir Charles ; I heard him ; I took a minute of what it was he said within an hour after it was spoken ; I can produce it if necessary. [Here the witness produced it, and read from it as follows :]—" Sir Charles was happy at addressing the people at Stockport from the present place, Sandy Brow. It was a place consecrated to the cause of liberty by the absence of friends he should have been happy to meet there, and he trusted Sandy Brow would be more famed in history than the field of Waterloo. Was there a peace officer present, he trusted they came to keep the peace, and not to break it. But was there any of your spies, your note-taking or Black-book gentry, tell your employers, the tools of a Castlereagh and a Sidmouth, that I hate them, that I detest them, that I eternally execrate them. He (Sir C.) was proud to say he was at the taking of the Bastile in France, and he should be happy to be at the taking of a Bastile in England. And were all hearts but as firm in the cause as his own, they

should soon put an end to the present tyranny and corruption." This was all I took notes of.

Cross-examined by Mr. DICKENSON—I am a cotton-broker at Stockport; I have only a small part of Sir Charles's speech; it was not all uttered at a time; he called upon the peace officers to keep the peace; his address was generally to be peaceable. At the time of the cap being put on, Sir Charles turned round, and there was a demur; the cap was then put on, and afterwards the flag was hoisted; I did not hear Mr. Willan object to it, he might have done so, for any thing I know. Upon Sir Charles turning round, there was a stop or a demur, it might have been in consequence of his being displeased; it was put on and hoisted, and the meeting continued; it was quite peaceable.

John Johnson examined by Mr. WILLIAMS—I am a Land Surveyor at Stockport. I was at the meeting in question. I got there before Sir C. Wolesley. Harrison was there when I went up. I do not know how many persons were present. There was no speaking before Sir C. Wolesley arrived. When he arrived, he got upon the hustings, and was appointed to take the chair.—I do not know who proposed him.—There was no chair on the hustings. Sir Charles began to speak immediately. I was within six yards of him; he said he was the first at the taking of the Bastile in France, and he hoped he should soon be at the demolishing of the bastiles in this country. When he said this, he pointed north-west. He told the people to be firm and united, for in a few weeks the great struggle would be made and ended. He said the ground whereon they were was sacred to the cause of liberty, as they had there once defeated their enemies. He said more, but I do not recollect it. Mr. Harrison stood next to him; he also spoke. He said they wanted to get to the throne, to see if there was a pig or a man on it, and if there were 10,000 walls between them they would blow them up either to heaven or hell. When he used the words "man or a pig," they were received with acclamations. Sir Charles was then on the hustings.

Cross-examined by Mr. PEARSON—I first-mentioned these words to George Bullock, about a fortnight ago. I have a father and brothers, but I never men-

tioned it to them. I lodge with the father of Bullock. [Here witness repented what he said in his direct examination relative to Sir C. Wolesley's speech]. I cannot say who spoke immediately after Sir Charles. I do not recollect what the other speakers said. Sir Charles spoke more than once. I do not know whether what I have now said of his speech was uttered all at once or in separate speeches. What Mr. Harrison said about a pig or a man, was received with merriment.

Examined by HARRISON—Bullock is here as a prisoner for felony. I had no hand in it.

Johnson again called—Said he was in the New Bailey Prison on a charge of felony. I was discharged by Mr. Phillips, the Magistrate.

Thos. Walsh examined by Mr. DEACON—I am a clerk at Manchester. I was at the Stockport meeting on the 28th of June. I heard Mr. Harrison reading a letter to the multitude. I do not recollect the words of it. I made some minutes on my return from the meeting. (Here the witness produced a paper). These are not my original notes. I wrote this from the notes.

Mr. PEARSON objected to the reading of the paper. It was necessary that notes to be evidence ought to be taken at or soon after the time the words were spoken. If there was a report given by any of the public papers, it would serve to refresh the memory of a witness, yet it would not be contended that a witness could be allowed such a reference.

Mr. PARK followed on the same side.
By the JUDGE—I made this memorandum about a month since.

The ATTORNEY-GENERAL submitted that the witness had a right to refresh his memory from this paper. It was not intended that it should be put in as evidence *verbatim* of what passed. If the witness could take upon him to swear that the paper now in question contained the substance of his original notes it was sufficient, but if their Lordships had a doubt on the subject he would not press it.

The COURT decided that the witness ought not to be allowed to refer to this paper.

Examination continued—The substance of the letter was, that the Deity had created man for happiness, and s

sufficiency of all good things to render him happy; but as the majority of that meeting were extremely unhappy and miserable, and rendered so by their rulers, the intentions of the Deity had been frustrated, and rebellion against that Government became almost a duty. Sir Charles was not present at this time. This was the general text upon which Garrison went. Sir Charles arrived while Mr. Garrison was reading. He was proposed as Chairman, I think, by Mr. Garrison. They shook hands.—Sir Charles next spoke. He thanked them for the honour they had done him in appointing him Chairman. He said he was no orator, but a determined friend of the people, and a friend to Annual Parliaments and Universal Suffrage, and if any spies or informers were about him, let them tell the Castlereaghs and Sidmouths who employed them, that he abhorred and execrated them and their proceedings. This was received with much applause. He was then silent, and the business of the day was proceeded in. Several resolutions were proposed by different persons. They were read by Sir Charles. One of them was, that Lord Sidmouth was guilty of high treason. I cannot say that Sir Charles put this resolution. There was no opposition to any of the resolutions.

Mr. PEARSON said, the resolutions had been on paper, and ought to be produced.

The COURT over-ruled this objection. Examination continued—Another resolution was, that there should be a general meeting of delegates at Oldham, or some other place agreed upon, to consider the best means of obtaining their rights. Another resolution was, that a subscription should be entered into to prosecute his Majesty's Ministers. The resolutions were read separately. I do not recollect who read the resolutions. They were read by some one on the hustings. He was near Sir Charles. Several persons spoke on various subjects; I think Sir Charles put the question on the resolutions to the meeting. Several had full sized walking sticks. They occasionally brandished their sticks as they cheered.—Mr. Willan, of Bawbury, and Mr. Fitton, of Royton, also spoke. Sir Charles spoke again, he said he was a determined friend of the people, and

should remain so while the last drop remained in his heart. He said his political career commenced in France, and he was one of those who mounted the ramparts at the destruction of the Bastille in that country, and he would not shrink from attacking the Bastiles in his own country. This was spoken with much warmth. I do not recollect what Willan said. Johnson read a very dull speech. A person in sailor's dress, in alluding to the panic which prevailed at a former meeting at Manchester, said that such conduct would not do at Oldham, they must boldly lay hold of the rope, and they would soon capsize Commodore Sidmouth and his crew.—This was said in the hearing of Sir Charles. There were some flags, one was surmounted by a Cap of Liberty. The mottos were. "No Corn Laws," and "Annual Parliaments." Garrison spoke after Sir Charles. He said that a deputation from the delegates should present their petitions in person, and to remove all obstacles in the way, for he did not know whether there was a man or a pig there. He said, as Ministers had procured a Bill of Indemnity to protect themselves, this meeting indemnify all the speakers, if any thing seditious be said. This resolution was passed with cries of "we do, we do."

Cross-examined by Mr. PEARSON—The public dispersed quietly about four o'clock. No mischief was done. I remained all the time of the meeting. I was not molested, nor did I feel any alarm for my safety. I should think the sticks I saw troublesome to carry; they might think otherwise. I was sent by Mr. Harrop, the proprietor of a Newspaper, to watch the proceedings. Garrison was reading from a paper when Sir Charles arrived. I will not swear to the precise contents of it. My memory might have been assisted by the paper I have. I will not pretend to swear exactly to what passed. To the best of my knowledge Sir C. did not read the Resolutions. I do not recollect his recommending that peace and good order should be preserved. I think that one Resolution was, "That as the Stewards of the Crown were amenable to the people, a subscription should be entered into to enforce the law. They could not be so silly as to think of holding a general meeting of the nation at Oldham. I cannot swear

that the Resolution did not say "a general meeting of all the people." Several persons spoke. I did not hear any one say that peace should be their first law, for their enemies would have a strong hold of them if they committed violence. Johnson's speech went to shew from the Statutes that Annual Parliaments were part of the law of the land. I did not like his speech—I thought it dull.

Re-examined—I did not hold up my hand against the Resolutions, because I did not like them; besides, if I had, it would very soon have been put down.—Hearing an alarm that the military were coming, I saw a great number of sticks held up, as I thought in defiance. I have not the least doubt but what I have stated is true [Through the Court].—Sir Charles's arrival was announced by a shout from the people. I saw no troops there. I did not go away when the sticks were held up. I felt no alarm.

Redmond Shawcross examined by Mr. J. LLOYD—I was at the Stockport Meeting. As soon as I arrived on the field, a man named Collier, from the Police Office, was knocked down by a number of people. They said he was a spy, and they would do all the rest so. Sir Charles was not there at the time. I did not notice Mr. Harrison. When Sir Charles arrived I got within 30 yards of the hustings. I then saw Harrison. I heard Sir Charles say he had begun his military career in France. I'll not be sure of the word military, but it was some career. I took minutes of what he said. He said he was at the taking of the Bastiles in France, and hoped he would soon be at the taking of the Bastiles in England. Then there was a great shout.

Cross-examined—I am the son of a clerk at the Police Office. My father took me to the meeting with him. I am 16 years of age. I am not positive the word military was used, but he said something to that effect.

John Stavely Barrett examined—I am a constable at Stockport; I was at the meeting of the 28th of June, a little before 12; I went as a spectator, but I was well known as a spectator. I saw Sir Charles in company with Parson Harrison; they were standing together, and appeared to have known each other; they stood near the Union Rooms. I

saw Sir Charles mount the stage. He said he commenced his political career in France. He was the first to mount the Bastile in France, and he hoped soon to do so in this country. There was a report that the cavalry was coming; Sir Charles told the people to stand, he waved his hat, and the people shouted. I saw some very stout sticks, larger than walking sticks. They looked as if they were cut out of Kidd Wood, or from the tops of oak trees. I saw several people at a public house, whom I afterwards saw at the meeting; they talked about Sir Charles W. They were wishing that the cavalry would come, for they were prepared for them on that day. They had very large sticks. They said that Sir Charles was a great friend of theirs, and that many other gentlemen would shortly turn to their side. I did not take notice of what Harrison said.

Cross-examined—I was at the meeting; I saw nine or ten people in the public house; they all had sticks. They knew me to be a constable, for any thing I knew. I knew three of them; I had one of them in custody before that. There was a crowd of about 5000 persons at the meeting. The alarm was without foundation; no military came. I did not hear Sir Charles direct the people to keep the peace; if he said so to the people I must have heard him. I did not hear all he said. I was not at Mr. Prescott's that morning. I left the meeting before it concluded. I saw one man with a pistol in his pocket.

Examined by HARRISON.—I saw the handle of the pistol; it was not the handle of a knife. I should imagine it was not the handle of a tinder-pistol.

Mr. Sergt. Cross—Perhaps he wanted to strike a light there.

Thomas Cartwright examined by Sergeant CROSS—I was a householder in Stockport in June last. I am a mercer and draper. I saw many persons coming into town from the Ashton side on that day. I saw all, or many of them, furnished with large sticks; many of them appeared to have been fresh cut from the trees, the bark was recently peeled off; some of them had large heads. I felt an apprehension of fear at seeing such large weapons. I went to Mr. Lloyd's office, where the Police meet, to represent what I had seen. I then went to the Meeting; I there saw many of the people with sticks. I saw

a Gentleman on the stage who was pointed out to me as Sir C. Wolesley. The body of the Meeting was composed of men; I did not see a child or female, except on the outskirts. I heard Sir Charles say, "Three hisses to the prosecutors of Baguely, Drummond, and Johnson." I knew that these persons had been prosecuted for a Conspiracy. I think there were 5000 persons in the crowd. I was afraid that if the minds of the multitude were inflamed by the speeches usual on those occasions, the consequences might be serious.

Cross-examined.—The people were so furnished with weapons that it indicated to me a greater apprehension of danger than usual. The sticks were large boughs of trees. All the people had not sticks, but some thousands had them. The people gave three hisses. I swear, that the Gentleman pointed out to me as Sir Charles came forward and hissed. The same person directed the people to hiss. The women and children were so placed that, in a conflict between the people and the cavalry, they must have been destroyed; but there were not many women or children.

Re-examined—The women and children could go away if they pleased.

Mr. PARK begged to know if the witness Barrett might not be called back? He understood that that witness had, on going out of the box, made use of words which would shew the character of his evidence.

The COURT said, that they might call witnesses to discredit the witnesses for the prosecution, and to prove the expressions used by Barrett, if they pleased.

Ralph Oldham, Postmaster, at Stockport, produced a letter which reached him on the 3d of June. Mr. Lloyd proved it to be Sir Charles's writing. Here the two letters alluded to in the opening speech were put in and read.

Aaron Collier examined.—I am a constable. I was sent to watch the meeting on Sandy Brow. I got there between twelve and one o'clock. I saw the hustings erected. I did not see Sir C. Wolesley arrive. I do not know Harrison. I was standing in the crowd. Some one said, pointing at me, "that is Nadin's runner from Manchester." I walked on without taking any notice. When I had got about 10 yards I was

struck with something. I heard some one say that I was a spy. Not half a minute after this I was hit on the head and knocked down senseless; on recovering I found myself in a house, and a woman was washing my head.

Cross-examined.—I had come from Manchester that morning. I did not on the way search a man. I had no suspicion of any one. I do not know who said that is Nadin's runner. The people were all strangers to me.

Re-examined.—I do not recollect molesting or speaking to any of the people.

Here the case for the prosecution closed.

Mr. PEARSON then addressed the Jury on behalf of Sir C. Wolesley. He commenced by stating that he never felt himself more embarrassed than he did on that occasion. His embarrassment, however, did not arise from any doubt of his client's case. He felt no dismay at the evidence given for the prosecution; he had not the slightest doubt but his client would be acquitted on the merits. It was a matter of congratulation to his client that the day had at length arrived when he could vindicate himself to the public of the many rumours and reports which had gone abroad respecting him. The Learned Counsel felt a satisfaction in knowing that what he then uttered, as well as what passed that day in Court, would be sent before an enlightened public, who would rejudge the judgment given in the case. His apprehensions, then, arose from a feeling that the Gentlemen of the Jury must all of them have heard observations made and opinions given; nay, not knowing that they were to be called on as jurors, must have made observations and given opinions upon the charge pending against the defendants. Let it not at the same time be understood, that he meant to infer from this, that the Gentlemen of the Jury had come into Court with their minds made up, as to the verdict they were to give; far from him were any such opinions. But the numerous reports sent through the country, must inevitably have biased their minds in some measure, and this bias was formidable only from its being unperceived by the Jury themselves. That the Gentlemen of the Jury were men of education, and of strict honour and integrity, he had not the slightest

doubt: but all this was necessary, in order to remove from their minds in one hour that which had been accumulating for months past. This was not a political question, nor were the Jury to expect from him a dissertation on political subjects. In a Court of Justice, neither politics nor party should ever be introduced. If he abstained then from giving any political opinions, in urging his clients, how more imperative on the Jury to dismiss any such, if they existed, from their minds. They were in that box in the exercise of the highest and most glorious privilege of Englishmen, the administration of justice. His Learned Friend, the Attorney-General, who, in opening the case, had conducted himself with that honour and liberality of feeling which always characterised him, had stated that the first count charged the defendants with unlawfully assembling, to the disturbance of the public peace, and having so assembled, with attempting, by certain speeches, to excite his Majesty's subjects to insurrection against the Government. Another count charged them with having assembled, for the purpose of disturbing the public peace. He knew it was not necessary for him to say much in order to shew that no conspiracy had been proved. If, however, the indictment had any meaning, Sir C. Wolesley must be acquitted unless a conspiracy was proved. How then was this charge of conspiracy made out? He felt surprised from the opening speech of his Learned Friend, as well as from what had fallen from the different witnesses, that this part of the case had not been abandoned altogether. He did expect a confession from his Learned Friend, that the ground had mouldered from beneath his feet. Where, he repeated, was there any proof of conspiracy? The only evidence of the previous acquaintance of the parties, was their having been seen together a few minutes before the meeting was held. But was a casual conversation in the streets, the substance of which nobody knew, to be tortured into a conspiracy? The Learned Attorney-General had, in the course of his speech, alluded to other trials; he hoped, therefore, he should be allowed to refer to a trial of great interest, and which attracted public attention for a considerable time—he meant the late proceedings at York. On that oc-

casion the Learned Judge who presided, and who conducted himself on that as well as on all other occasions with a dignity and an ability which commanded the admiration and esteem of the public. Mr. Justice Bailey, laid it down as the law, that the defendants could not be convicted of a conspiracy unless it was shewn that they acted in the attainment of a common object by previous concert, and with the privity of all the parties. Where had it been shewn that the parties in this case had any previous concert? It was not denied that the parties had spoken a few moments before the trial, but was this legal proof of a conspiracy? If not, then there was no proof at all. Oh, but, said his Learned Friend, I shall prove beyond a doubt that a conspiracy did exist; but how did he go about proving it? Why he put in a letter written two days after the meeting, referring to a letter written from one of the defendants to the other, but which it was proved had never been received. There was no evidence of what the contents of this letter were; but even supposing that it was an invitation to attend the meeting, how could that be called a conspiracy? Sir C. Wolesley never saw it—he did not know it was written until the meeting was over. The whole case therefore must fall to the ground. He cared not whether Mr. Harrison was a friend to Annual Parliaments and Universal Suffrage, or if similar opinions were entertained by Sir C. Wolesley. He did not argue in defence of such doctrines; he argued the case on a much more important ground, namely, that according to the law of the land no conspiracy existed. It was, in fact, a waste of time to dwell longer upon this part of the case. The next question for the Jury would be, whether the meeting was a legal one? and of this he trusted he should convince them before he sat down. On this point he should refer to the opinions of Mr. Sergeant Hawkins, who was an authority much looked up to upon this subject. He did not feel it necessary to go back to other great authorities, though the opinions of such great men as Hall would be strongly in his favour. Mr. Sergeant Hawkins said, "that any meeting assembled in such numbers, and under such circumstances as to create terror in the public mind, was

unlawful." These were the words of Hawkins, who was pronounced by the Learned Judge as the best authority.—Did they think a man like Sir Charles Wolesley would stake his large property, his family, his country, upon the hazard of a die? To think so, would shew little of the feelings of human nature. In conclusion, the Learned Counsel said he had to thank the Jury for the patience with which he had been heard, and said he committed his client with the most entire confidence to the hands of the Jury. Sir Charles Wolesley desired him to meet the calumny contained against him in the indictment in the face of day—to plead for nothing—to urge no pleas of his family or liberty, or his station in society; but to meet the case upon its merits. Again he thanked the Jury for the indulgence they had shewn him, and committed his client to their impartiality and their sense of justice.

Mr. HARRISON spoke nearly as follows:—Gentlemen, I stand before you in a very particular situation. I was compelled by force to plead to the indictment, and I pleaded not guilty. The cause was afterwards removed to the Court of King's Bench, and as I stand before you in the manner that I do, I think it necessary to say a few things, perhaps many things, even for three or four hours. So I beg of you, Gentlemen, to exercise the greatest patience. And first, I must call your attention to the speech of Mr. Marshall, one of the Judges on the Bench, as it seems particularly addressed to my case, humble individual as I am. (Here the defendant read some extracts from the Learned Judge's speech, and in commenting on that part which talked of desperate adventurers being abroad, he said it would be for the Jury to determine from the evidence they heard, whether he was one of those classed under the title of desperate adventurers.) It could never have been designed for the Honourable Baronet; and if it were not intended for me, it was wholly irrelevant to the business of the Assizes, I being the only person charged with the crimes alluded to. If it were not for this speech, I do not know, Gentlemen, that I would have addressed you; and not having money to fee a Counsel, I was obliged to defend myself. But if I fall the earth shall quake as I do; I shall not fall without violence—that is, the violence of

my prosecutors. If in the heat of my discourse my figures may have been too strong, what public speaker can escape? Did I stand before you conscious of crime, my conscience would feel it. Had I any intention of producing a sanguinary Revolution, I would take the Bar and plead guilty. When I considered the sham indictment—when I considered I was bound hand and foot with the Honourable Baronet, I looked to see where I was to be plunged, aye, even into hell. For the indictment, it is not worth reading. Had I been unjustifiable in my conduct, I should not object to being tried, but I am conscious of no crime. I love my country, and if I am asked what is my country to me, I say I love it, and it is necessary for me to vindicate my character. I wish not for rapine, I wish not for plunder; and however Reform may be called "nostrum," I say that whatever makes knaves honest, and bad men good, must prove a service to the community. Reform would, I know, in a great measure effect these desirable objects. I do not want the riches of others, nor do I think parliamentary reform would make poor men rich, or rich men poor. If I give a wrong direction to my Lord's speech, I hope he'll rectify it. Once the Constitution is gone, it is gone for ever: so say I; and "military despotism will ensue;" that is what the Reformers have all along dreaded. I take it for granted, Gentlemen, that you read the newspapers—that you read what is done in the House of Commons; and you can judge of the propriety of what is said of it by the Judge. I take it also for granted that you have read the *Chester Chronicle*, in which his charge is contained, and it is on that account I dwell so much upon it. That the Constitution of Great Britain is excellent none of us doubt, but not that as established by law, or else it would be a most fluctuating Constitution.—And if any laws be added to it, it cannot remain the Constitution, but must change, and sometimes be better and sometimes worse. "Vagabond orators," says the Speech, were to effect improper things—harsh expression in any sense, but more so as applied to me. I have endeavoured to stop the progress of vice and irreligion, which are abounding in the present day. The cheering doctrines of redemption have been my constant theme, and are still the delight of my soul. If it be blas-

phemy to glory in the truths of the gospel ; to be grateful that our divine Saviour came down from Heaven, and took on him the nature of man, for the purpose of securing us a victory over Sin, Hell, and the Grave—then indeed have I been a “Vagabond Orator”—then have I been a blasphemer. Pamphlets, containing improper things, have been circulated ; but I consider it an Englishman's right to read every work, and then think of it as he feels proper. That cannot be considered as a right in any man, for the exercise of which he may be punished.—Mark the “buts,” Gentlemen, we have rights, but if once they are exercised, they render men liable to be punished. At the meeting at Stockport one-fourth of the inhabitants only were at the meeting. Surely one is not a match for four ; but, indeed, it has not been proved that any *terrorem populi* was used. I hope it will not be said here, as it was said in Scotland, that Scotch law is not English law, and that Cheshire law also is not English law. It is not from your prejudices, Gentlemen, that I expect or fear for any thing. I hope you will not defile your oaths ; and if you give a verdict contrary to the evidence, you will do so. The leaders of Reform are charged with sanctioning military training ; I know of none who do so ; and if such practices were now followed, it would be against the law, that I know ; but then it is because of a recent enactment that makes it illegal. But the Reformers are charged with every thing to bring them into disrepute. What is said of large meetings of the people, equally applies to election and other county meetings. I shall not say the indictment was framed to murder two innocent individuals—no, that would be too strong ; I dare not say so ; but I say, the sabre has pierced to the vitals, and was only prevented killing because it could not reach far enough. Then we have something on the Cato-street conspiracy, as it is called, I suppose to connect me with those foolish, absurd, rash men, who engaged in such an enterprise. Some gentlemen behind me won't let me speak. Perhaps there are some men who would accuse me of participating with the men on whom sentence was so solemnly pronounced this morning, but of that I am quite guiltless. Why was sentence pronounced on them

this morning, if not in some measure or other to be connected with me by some association of ideas ? The attempt at Birch was an injury to me, an injury to the cause of Reform, and if I saw the man lift the pistol against him, I would have interposed and saved him. Birch behaved to me like a gentleman, like a friend, and I hate the man who could attempt to assassinate him. If we had base designs, if we were such villains as are described in the Learned Judge's speech, we would deserve the punishment that impends upon us. I do not think it worth while to comment on the praises given to the Magistracy. The Chester Yeomanry “flew to arms,”—civil war gentlemen “flew to arms,” not against the Spanish, not to cut down the French or Germans ; and should not I be very neglectful to myself, if, as it may be, you are some of these praised people, not to notice this speech. You are all strangers to me, but you are Englishmen, and every Englishman I love. But we are “pretended Reformers ;” still hypocrites—that hurts me ; we have been zealous and sincere, and we have shewn ourselves in earnest to obtain redress for our grievances. We have grievances, and while we use every zeal to procure Reform, I cannot abide it that we should be called hypocrites, pretended reformers [involuntary laughter here burst forth, from the vociferous manner in which the last passage was expressed.] You might have hitherto heard that Juries have done their duty ; so far good, I hope all Juries will do their duty. So much for the Learned Judge's speech, as far as refers to one individual. I can't suppose my dilating on his speech will offend the Learned Judge, for he looked upon me while I was doing so with a very pleasant countenance [loud and continued laughter throughout the Court]. Gentlemen of the Jury, I hold in my hand another help, unbought, unasked, unsought, and unexpected, as if that Providence who knew my condition had given me a help when I most needed it. That help is—“A few brief Remarks by Jeremy Bentham” (a laugh), a great lawyer, one of the ablest men in England, perhaps I might say in the world, and I dare say, if their Lordships spoke of him they would say the same. But, Gentlemen, I have no,

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yet read over the indictment, and I shall proceed to read it (laughter). [He here read it as we have given it in the early part of our Report, and as he read, it excited the continued risibility of the crowds who heard him.] He now commenced reading Bentham's Remarks, and after he had gone through several pages, he was persuaded by some gentlemen who stood near him, not to proceed further in their perusal ; but he observed : " I like these remarks ; they are free, and I like freedom ; I look upon them as a help sent me by Providence. I shall now then come to a close ; my cause, Gentlemen, is in your hands. I had a great deal to say, but to accommodate friends, I shall not make the observations I intended. My cause is in your hands, there may be some doubts in your minds, and by the law of the land you will give the benefit of them to the defendants. It cuts me to the heart to think upon the conduct of some Juries in this part of the country. It has struck me that they take too little time to consider of the fate to which their verdict may consign a party ; even six months' imprisonment would be a serious loss to me ; but you cannot convict me without forfeiting your oaths. I ask no favour ; I only want justice, and I demand it. But what if the Jury have beforehand made up their minds ? Why, rather had I bear what I must suffer on account of their errors, than see the glorious right of Trial by Jury done away. If you find me guilty, look at what will be my fate, taken from my family, without the comforts of a letter, unless liable to be opened, as you have seen done this day, without my leave ; not that it contained any thing wrong, but let it be on ever such secret business, it would be the same. What I have said has never been fairly reported ; that is, no reporter ever wholly followed me throughout any one of my speeches. I do not know if the Learned Counsel for the Honourable Baronet intends to bring forward evidence against evidence ; but for myself I would do so. If I do not bring forward evidence, my enemies will say I had none ; and not producing it, may tell their Lordships it is enough to make me guilty. I shall leave the case where it is ; I know there will be a verdict, and I hardly know that it will concern me much whether it be one of

Guilty or Not Guilty. I do not despair, my heart knows not despair ; and whether the verdict be for me or against me, I say, the will of the Lord be done."

Thomas Garnett was some time ago a reporter to *The Manchester Chronicle*. It is generally considered a Ministerial Paper ; I attended the meeting in Stockport to report the proceedings ; I have no doubt there were 5,000 persons present ; one circumstance rather alarmed me, it was a person in the employment of Mr. Nadin, who was employed before Sir Charles Wooley came there ; if Sir Charles Wooley had told the people to be patient for a little time and that all would then be well, he must have heard it.

Cross-examined by Mr. BENYON.—The paper he reported for is of Ministerial politics ; he was within three yards of the hustings, and went to take an account of the proceedings.

Robert Thomas Hanson attended the Meeting at Stockport for *The Manchester Observer*. I felt no terror at any thing I saw ; the shops were open ; all that I saw were ; I heard Sir Charles address the police-officers to keep the peace, and then to the people to be so ; he said, he often found peace officers break the peace, and he now begged them to keep it ; if he said in a few weeks the great struggle would be made and ended, he must have heard it ; he heard no such thing.

Cross-examined by Mr. LLOYD.—Remembers Harrison saying, " it was as foolish to petition the House of Commons as if a master were to go down upon his knees to entreat his menial servant to do that duty for which he is engaged and paid ;" remembers his saying, " to petition them as they now are, is absolutely folly ;" he said " it is a grand principle that a whole nation cannot err, and if there be a thousand walls between us and our Prince, we shall blow them all down, either to heaven or hell, but we will have them down ;" those are not exactly Harrison's words, but the effect is substantially the same ; he remembers Sir Charles Wooley's saying something about the Bastile, but witness could not exactly mention what he said.

Re-examined by Mr. PARK.—Harrison said it was useless to have petitions addressed to the Throne, as Lord Sid-

mouth refused to present them ; it was with reference to Lord Sidmouth that he used the expression of " ten thousand walls ;" he does not recollect Harrison's having objected to petition the House of Lords.

James Swindon examined by Mr. PEARSON.—I am a draper in the town of Stockport ; I felt no alarm that day ; my shop was not shut, and business was going on that day as usual.

Here the case for the defendants closed ; and the Court adjourned at a quarter after eight till to-morrow morning at nine o'clock.

SECOND DAY—TUESDAY, APRIL 11.

A few moments after the arrival of the Learned Judges this morning,

Mr. BENYON (Attorney-General for Chester) commenced his reply. Gentlemen of the Jury, I now beg leave to entreat your attention while I reply to the observations made by the defendants, and offer such comments on the evidence as the nature of my case demands. We must first, Gentlemen, recur to the charge made against the defendants, for it has been endeavoured to put a different interpretation on it, from that which it requires ; and we shall also have to consider the legality of one of the counts of the indictments, to which some objections have been taken by the Learned Counsel by Sir C. Wolseley. We have alleged, first, that these parties assembled an unlawful assembly, an assembly calculated to disturb the public peace, and by different means to excite in the minds of the people a contempt and hatred of the Government and Constitution of the Realm, as by law established. This general allegation appears to me to contain two offences—First, that of assembling an unlawful assembly ; and secondly, by seditious words and other means inciting the people to contempt and hatred of the Constitution, as by law established. My Learned Friend has, Gentlemen, endeavoured to impress it on your minds, that the assembly was not unlawful, because not so stated on the record, because it did not appear that it was in terror of the people, and that it was not proved in evidence to have any tendency of that nature. But it is not because people of nerve were not alarmed, that it may therefore be pronounced not unlawful. If the number of people was so great ;

if they had weapons in their hands ; if they were attended by such banners and insignia, as must naturally produce terror ;—if all this be proved in evidence, then the meeting at Stockport was unlawful. If ever there were a tumultuous assembly, it is that to which our attention has been attracted yesterday and this day. The Learned Counsel for the defendants made several allusions to the trial of Mr. Hunt at York, and I did not attempt to stop him. But whatever was done at York, the Juries of Chester have nothing whatever to do with it. I am obliged to the Learned Counsel for his mention of the case of the King and Hunt, and I say, if that were a case for conviction, the one before us is ten times stronger. Hunt was taken from the meeting at Manchester before he spoke. Here seditious words have been used ; this Meeting had considerably more of terror in it—and, in short, it has every one concomitant circumstance, with one exception, namely, that here seditious words were actually used. If, then, we are to call to mind what was done by others at that meeting, we find the case ten times stronger as to this. Hawkins, and other learned authorities, have been cited as to the legality of one of the acts charged in the indictment : with that you have nothing to. There seems to me no necessity for dividing the case, the facts of it are perfectly clear before you. With respect to the legality of the meeting, one may say it was assembled under the specious pretext of petitioning for Parliamentary Reform. Parliamentary Reform ! I check myself : for though many of these unhappy meetings were assembled under such apparent motives, the mask was here completely thrown off, and there was no man who heard of the meeting of the 28th of June but must know that it had no more to do with petitioning for Reform than it had with any other purpose that the imagination of man could suggest. In this case the defendants stood together on the hustings—they were each participants in the whole of the proceedings, and if any thing unpleasant to Sir C. Wolseley had occurred, if he found he was not in good company, would he not have left them ? He gave his complete assent to whatever was said by Harrison ; and if the language used by him was seditious in its nature, Sir C. Wolseley was, in point of law, equally guilty with the

person who uttered it. The meeting was also attended with flags.

Mr. PARK here observed that there was no evidence of more than one flag having been used.

Mr. BENYON proceeded—"Well, one flag is as good as one hundred. The inscriptions upon it sufficiently prove the objects of the meeting. Crowds attended from distant places, and even from different counties, armed with sticks and other offensive weapons. And then can it be gravely contended, that such an assembly was met together for the purpose only of obtaining Parliamentary Reform? It has been set up as a justification of this meeting, that every man has a right to meet for the purpose of petitioning. It has even been said that people may proceed to such meetings with flags and other insignia, provided their object be petition. But, Gentlemen of the Jury, will you believe that this is the way to obtain a Repeal of the Corn Laws, if they be objectionable? And as to all the farrago of Annual Parliaments, Universal Suffrage, and Vote by Ballot, if any man, or set of men, were gravely and quietly to petition for their adoption, I should lament their folly, while I pitied their judgments, and should think they meant not a Reform, but a complete overthrow and revolution. For, depend upon it, if ever these things are granted, this will no longer remain a happy country, with a mixed and balanced Constitution, but will become a wild and dangerous Republic. If, however, there are persons who think that these things will prove of service, I should find no fault with their quietly assembling to procure them, but I do find fault with those who attend such meetings with insignia only calculated for the purposes of intimidation. Harrison said, "we don't come here to petition the House of Commons," and Sir C. Wolesley assented to it. "We won't," said Harrison, "petition the Sovereign, nor the House of Lords, in its present corrupt state."

Mr. HARRISON—I hope, my Lord, you will keep the Learned Gentleman to the truth.

Mr. BENYON.—I wish you, Gentlemen of the Jury, to take nothing from me. If I inadvertently state any thing inconsistent with my notes of the evidence, it will be in the power of their Lordships and yourselves to correct it.

It will be, however, in your recollection, that Harrison did not advise the petition to the House of Lords or Commons. Then add to that the *barriers* and the "ten thousand walls," and ask yourselves if I am wrong in stating, that it was no more a meeting for the purpose of petition than any thing that the imagination of man can suggest? Now we come to the seditious expressions. I shall not draw your attention to them further than this:—You recollect the expressions used by Sir Charles Wolesley, relative to the Bastiles, as well as those of Harrison about his ignorance, a man or a pig filled the Throne, as well as the other expressions of contempt of the Sovereign, and it will be for you, as men of education, as men of sense, to say whether those expressions were not seditious, and were not used, as the language itself imports, for the purpose of bringing the Royal Authority into contempt. The second count charges the defendants with a conspiracy, and I shall convince you that it is not vulnerable either in law or in fact, but made out in many different ways by the evidence; by what occurred before and at the meeting, as well as by what was anticipated from the contemplated meeting at Oldham to be held on a future day.—If the witnesses are to be believed, I shall demonstrate a conspiracy. All this, Gentlemen, is to depend—must depend on the evidence you have heard, and not upon what learned men have said. Mr. Bentham, every one admits, is a clever man, but he might as well talk of what occurred at China, as of what was going on in this Court. He might certainly write or comment upon the nature of an indictment, but he could not know the nature of the facts to be proved, and not knowing this, he was totally incompetent to form a just opinion of the case. It was urged that Sir C. Wolesley could not be made responsible for what was said or done by any other persons at the meeting; but let me ask you, Gentlemen, whether he might not, if he disapproved of what was said, have retired; and whether his remaining was not an approval of the observations used by Harrison? I give Sir C. Wolesley credit for wishing to preserve peace in the meeting. A regard for their own safety would have prevented them from meeting the constables face to face. As

to the expressions relative to the Bastile in France, had Sir Charles gone no further than expressing his satisfaction at its destruction, I should not have objected to it, but I object to his instituting a comparison between that and any gaol in this country. At that time, a man could be immured in prison by a *lettre de cachet*, without any opportunity or means of inquiring into or vindicating himself from the charge against him; but here it was not in the power even of a King to commit a man to gaol without leaving him his right of *Habeas Corpus*—of demanding his trial, or his immediate discharge. Where then is there any similitude between either the prisons or constitution of the two countries? But I will tell you what was meant by the mention of the Bastile. One of the first steps to the French Revolution was the destruction of that establishment. I may be deceived—I may be warped in my opinions, but I cannot help urging; I cannot conceive but that he meant a similar stir should take place here. Great as was the evil of Harrison's language, it was light in the scale compared with that of Sir C. Wolesley. The language of Mr. Burke on the French Revolution, was quoted to shew the innocence of the expressions of Sir. C. Wolesley, but was there any similitude, any resemblance between the occasions or the manner in which the different expressions were used? Every man is accountable for his words, and if the words of Sir C. Wolesley can bear an innocent interpretation, let the defendants have all the advantage of it in a criminal prosecution. I think them highly criminal. The evidence on the part of the prosecution, has been corroborated by that for the defendants, and under all the circumstances of the case, I cannot but feel satisfied that we have demonstrated the meeting to have been unlawfully assembled, and that such seditious expressions were made use of as to bear on the first count of the indictment. With regard to that for conspiracy, I think we have satisfactorily proved it. We have given in evidence a letter of Sir C. Wolesley, where he complains of a letter to Harrison having been delayed in its progress. We have shewn them to have been together before the meeting, to have been together on the hustings—Sir Charles Wolesley,

as chairman, taking a leading part, assenting to all that was said by Harrison; and we have given you beside a letter from Harrison to Baguely, who is confined in Chester Castle, in which he details the numbers who attended and the general circumstances of the meeting. Could Sir Charles Wolesley have come to that meeting, and be called by acclamations to the Chair, without a previous knowledge of what was to be done? But even though he had no such knowledge, I say that at that meeting they conspired to bring the Government and Constitution of the country into hatred and contempt. This, of itself, I allege, constitutes a conspiracy. Gentlemen, I need not labour the question further. I think it is as clear a case as ever was submitted to a Jury. I beg pardon for detaining you so long. I leave it wholly in your hands, knowing you will shew no favour to the Government on the one side, or to the defendants on the other. If you have any reasonable doubts on your minds, give the benefit of it to the defendants. Justice must be done, without any consideration as to the parties immediately interested; and I hope you will give such a verdict as will prove satisfactory to the county of Chester, as well as to your own consciences and to the kingdom at large.

The CHIEF JUSTICE (Mr. Warren), in recapitulating the evidence to the Jury, said, that any meeting or great number of people assembled together, armed in a warlike manner, was illegal, for no one could foresee what might be the effect of such assemblies. This was laid down by Hawkins, and with it he concurred. In reading the evidence of Winterbotham, his Lordship said it would be useless; it would be an idle waste of time to say that Harrison's expressions were not seditious. Their natural import was of that character. It was forcibly said by the Attorney-General, commenting on the use of the word Bastile by Sir Charles Wolesley, that there were no Bastiles in England. And coming from such a man as Sir Charles Wolesley, it would be for the Jury to decide what construction should be put on them. The Jury would see there was an evident allusion to there being some prison in England, where men were treated as if in a Bastile. And taking all his words, it was contended they were not seditious; but if

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they considered the effect such words as his must have had upon an assembly of 5000 people, how could they even in the largest charity be otherwise estimated than as seditious? They had only a part of the speech spoken offered in the evidence of Bowerman, and if there were any thing else said, some one on the part of the defendants would certainly have been produced. Although Sir Charles Wolesley did not himself put the cap of liberty on the flag, he yet suffered it to be done; he assented to it, and doing so was answerable for any criminality attached to such an act. It would be absurd to suppose that Sir Charles Wolesley, a man of fortune, rank, and family, would have mounted a scaffold by some accident. It would be trifling with the most ordinary understanding to think he there met Harrison and Fitton, without some previous understanding that he should have done so.

HARRISON here said, it was not given in evidence that any previous meeting had taken place between him and Sir Charles Wolesley.

CHIEF JUSTICE—He would leave it to the Jury to see what Sir Charles Wolesley meant by the "great struggle." With whom was it to be? With tyranny and corruption; and who were the tyrants? Why, the rulers of the land. What is the great struggle? Are these words of peace or consolation, or have they any possible bearing on the question of Reform? If for Reform, they substitute violence and revolution, then they would come more nearly to the real character of the meaning of the words. In his view that was the only meaning that could be put upon them. Sandy Brow was, it appeared, sanctified by Baguely, a man who was now imprisoned for his crime; it was consecrated to the cause of liberty by Johnson, also imprisoned; and it was to become greater in their annals than the glorious plain of Waterloo. Couple this with the contemptuous derision which Harrison expressed towards the person of a Sovereign to be respected by every good and loyal subject.

Mr. HARRISON—My Lord, the witness first said laughter; another said my allusion was received with acclamation; and there is a difference between them and another, who said it was meant in derision.

CHIEF JUSTICE—Let him, Gentlemen, have the benefit of this difference: one witness said, his allusion to the Sovereign, as not knowing if a man or a pig were on the throne, was received with derision, another with acclamation. But it was trifling with the Court thus to interrupt a summing up.

MR. PARK—I am sorry, my Lord, to interrupt your Lordship; but there certainly appeared to me to be this difference in the evidence as to the manner in which these expressions of Harrison were received; Sir C. Wolesley was not present when they were used.

CHIEF JUSTICE—Well, let me pursue the evidence, the contradiction as to these words could scarcely be called so; whatever was said shall not be forgotten. I wish to act fairly by all parties. Harrison said he did not know what sedition meant, but his words were evidently seditious. Sir Charles Wolesley heard all this—

SIR C. WOLESLY—No, my Lord, I did not hear this; I was not there.

CHIEF JUSTICE—You are right. Gentlemen, Sir C. Wolesley was not there when Harrison said it was almost a duty to resist the Government of the country, but Sir Charles put the Resolutions to the Meeting, one of which said that Lord Sidmouth was guilty of high treason; another was, that a general meeting of delegates should take place at Oldham, to consider the best means of obtaining their rights; another was, to make a collection for the purpose of defraying the expences of a prosecution against his Majesty's Ministers, and all this to an assembly of five thousand people, many of them armed with sticks, which they brandished in approbation of them. He would leave it to the Jury to decide the meaning of the sailor's phrase, "that they must all pull the rope together, and thereby capsized Commodore Sidmouth." It appeared that the meeting at Stockport was not only a meeting for what went forward at it, but for money, for the encouragement, for the protection of those who might engage in similar pursuits, or be prosecuted for their sedition. The moment the people heard the soldiers were coming they held up their sticks, which shewed the use for which they brought them. They knocked down a police officer in proof of what they would have done, and

could that be a peaceable meeting when such deeds were done? Sir Charles told them to stand firm when the military were reported to be coming, so that he assumed to himself to be their leader. If they were afraid of the cavalry coming, their meeting they must have supposed to be illegal; and when they said they were prepared for them, what did they mean but that their sticks should have been used to meet them? "Rebellion is almost a duty," was the sign to which gentlemen were invited by Sir Charles Wolesley and Mr. Harrison. "Give three hisses for the prosecutors of Baguely, Johnson, and Drummond," said Sir Charles, and thus marked out persons who had done their duty to the vengeance of five thousand people. Letters passed between the two defendants, one four days before the meeting, which fixes them in correspondence; and a second addressed to Baguely from Harrison, giving an account of the Stockport Meeting on the 28th of June, which evidently shews an acquaintance between Harrison and Sir Charles Wolesley. A police officer sent to watch their proceedings, was knocked down and bruised as a spy. But if the object of the meeting were peaceable, if it were constitutional, why should those assembled have had any terror of a spy? From the necessity of the case, the learned Counsel for the defendants kept out of sight the main objects that pressed against Sir Charles. He confined himself to the mottoes on the flag, he endeavoured to shew the meeting was not to the terror of the people; but it was the duty of the Jury to look at the numbers assembled, the weapons they had, and, under all the circumstances, see if it was calculated to excite terror in the mind of any reasonable man. The Jury would recollect, many at the meeting were strangers, and it was not left in doubt that they said they were prepared to meet the cavalry on that day with bludgeons, which were by several Acts of Parliament considered most offensive weapons. The number of people, the place whence they came, their conduct, their arming, would all be considered by the Jury. So far as to its illegality, the first question they would have to try; and secondly, if any seditious speeches had been uttered, and

uttered by the defendants. Mr. Harrison, in his defence, commented on what he called an improper speech of the learned Judge (Marshall), but which he (the Chief Justice) considered as very proper, and made quotations from Jeremy Bentham, which he called a help from Heaven. Bentham, doubtless, was a clever man, but it was lamentable to see so silly a book come from so able a man. It was unpleasant to see a man like Sir Chas. Wolesley—a man of fortune, family, and private virtue—it was lamentable to see such a man as the companion of Harrison; but all that should not prejudice the course of Justice. If they believed the evidence, they were bound to convict the defendants, and not let the generosity of the heart and feelings of the mind have any influence upon their deliberation. The second count in the indictment charged the defendants with conspiracy. It was urged that previous communication was necessary to be established before that charge could be made out; but a conspiracy sufficient to support the indictment was made out in this case; from the whole tenor of the proceedings Sir Charles was the man who took the leading part, and excited the people to tumult and the overthrow of the Government. Was the coalescence of the actions and opinions of defendants a matter of mere accident? or will it not appear they acted in concert, and, therefore, conspired to effect the most dangerous objects. In his view the second count of the indictment was sufficiently supported. The evidence for the defendant did not at all shake the testimony given on the part of the prosecution; for, although the Reporters did not hear certain words, it might so happen to them from the place in which they were situated, or from lapse of memory; but the use of seditious expressions was positively sworn to by two witnesses for the Crown. They were now called upon, first to consider if the meeting were an unlawful assembly, and then, if seditious speeches were uttered to excite contempt. In that case the Jury should find a verdict of guilty against both the defendants. And if they concerted a scheme and used seditious expressions after, they should also find them guilty. Gentlemen, you will consider of your verdict.

APRIL 29, 1820.

During the progress of the Learned Judge's charge, he was occasionally reminded of some variations between his Lordship's notes of the evidence and that taken by the defendants, and suffered some other interruption, of which he complained.

The Jury, on retiring, wished for a copy of the indictment, which was handed to them; and after remaining in consultation for nearly three quarters of an hour, returned with a verdict of **GUILTY AGAINST BOTH THE DEFENDANTS.**—They were immediately called upon to give bail for their appearance on the next Term, which was immediately complied with on the part of Sir Charles Wooley, and Mr. Garrison was allowed to leave the Court in order to procure his, the Attorney-General, intimating to him, that he had no doubt of his speedy return.

COBB ETT'S
PARLIAMENTARY REGISTER,
OR
REPORTS
OF THE
DEBATES, PROCEEDINGS, AND
ACTS,

Of the First Session of the First Parliament of

KING GEORGE THE FOURTH

Begun and holden at Westminster, on Friday, the Twenty-first Day of April, in the year 1820.

The First Number of this work will be published on Saturday, the 6th of May. It is intended to publish one Number on every succeeding Saturday, during the Session; and to have the Volume complete in two weeks after the close of the Session. The measures of the next Session must necessarily be of extraordinary interest, involving as they probably may, the very fate of the

country. To make a work of this kind as useful as the case admits of, the compiler must himself have a tolerable share of knowledge of the several matters discussed; and especially when present measures grow out of past measures, and have reference to facts, well known amongst those engaged in the discussion, but not familiar to the understandings, or recollection, of the public in general. This observation applies with particular propriety to discussions relating to questions of Finance, Paper-Money, and, indeed, all questions of great national importance. It is intended, therefore, to give explanations in the way of Notes, wherever it may be found necessary, in the course of this work; and thus to put it in the power of every reader fully to enter into the merits of every question, as to which men in general must naturally desire to be well-informed, and on which they must wish to form a correct judgment. The price of each Number, containing *two sheets and a quarter*, will be **SIX PENCE**, and as it will always be published at the same time and place as the **POLITICAL REGISTER**, it may be conveniently obtained both in town and country. The numbers during the Session (probably twenty) will make a Volume of convenient size, the referring to the several matters in which will be rendered easy by a perspicuous arrangement and by every aid that can be afforded by Tables, Lists and Indexes.

BROOM-CORN SEED.

In one of the Registers, published here, while I was in America, and in the last PART of my Year's Residence, there is an essay on this beautiful and useful plant, which produces the *wisk*, of which the *carpet brooms* are made. Brooms, made of this same wisk, are used to sweep *the streets*, in New York, while the best of clothes-brushes are made of the same thing! The plant requires strong summer heat. The seed of it will not ripen in England; but, I am of opinion, that the *wisk* would arrive at a state of perfection sufficient for broom-making; and, indeed, a gentleman has sent me a specimen, grown in

England, last year, which convinces me that this opinion is correct. At any rate, the plant is beautifully ornamental, and would to a certainty answer the other useful purposes, mentioned in my essay; and which I will fully detail in the *Register*.—The time of sowing is now approaching; and I have imported some seed, which is now for sale in *small quantities* by Messrs. CLEMENT and BENBOW, No. 269, Strand.—There are some of these *brooms* to be shewn as specimens.

N.B. There was a gentleman, whom I saw at Coventry, who talked to me about the broom-corn *wisk*, of which I have *a quantity for sale*. I will wait a week before I sell it, or offer it, to any body else. The *hubub* made me forget both his name and address.

INDIAN CORN SEED.

This is an *early* kind, such as I grew at Botley for many years, and had very fine indeed. Some of the seed is for sale by Messrs. Clement and Benbow.—This is a very *rare* kind, even in America, and is cultivated only for the table.

WATER MELON SEED.

Those only who have been in hot countries are, perhaps, to be persuaded, that this is the finest of all summer fruits. I used to grow it at Botley in great perfection; and I have imported a little of the seed. Now is a very good time to sow it. It may be had as above in *very small quantities*. I have very little; but I wish somebody to *try it*.